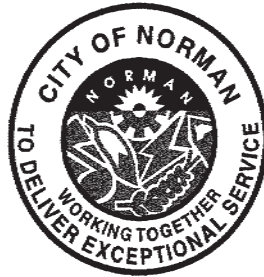


# City of Norman, OK

*Municipal Building Council Chambers  
201 West Gray Street  
Norman, OK 73069*



## City Council Agenda

**Tuesday, March 13, 2012**

**6:30 PM**

**Municipal Building Council Chambers**

### **City Council**

*Mayor Cindy Rosenthal  
Council Member Roger Gallagher  
Council Member Tom Kovach  
Council Member Hal Ezzell  
Council Member Carol Dillingham  
Council Member Dave Spaulding  
Council Member Jim Griffith  
Council Member Linda Lockett  
Council Member Dan Quinn*

*City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman  
Tax Increment Finance Authority Agenda*

**1 Roll Call****2 Pledge of Allegiance****3 Consent Docket***Consent Docket*

*This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 4 through Item 16 be placed on the consent docket.*

**ACTION NEEDED:** *Motion to place Item        through Item        on the Consent Docket by unanimous vote.*

**ACTION TAKEN:**

**ACTION NEEDED:** *Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.*

**ACTION TAKEN:**

4

CONSIDERATION OF APPROVAL OF THE MINUTES AS  
FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 14, 2012  
CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 21,  
2012

CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 28, 2012  
CITY COUNCIL MINUTES OF FEBRUARY 28, 2012

NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 28,  
2012

NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 28,  
2012

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF  
FEBRUARY 28, 2012

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS  
COMMITTEE MINUTES OF MARCH 1, 2012

ACTION NEEDED: Acting as the City Council, Norman Utilities  
Authority, Norman Municipal Authority, and Norman Tax Increment  
Finance Authority, motion to approve or reject the minutes; and, if  
approved, direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**    February 14 Conference minutes  
                          February 21 Study Session minutes  
                          February 28 Conference minutes  
                          February 28 CC minutes  
                          March 1 Bus. & Comm. Affairs Comm. Minutes

- 5      **O-1112-30**      ORDINANCE NO. O-1112-30:      AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 19-602 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CONCURRENT CONSTRUCTION IN RESIDENTIAL DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-30 upon First Reading by title.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**      O-1112-30 (Concurrent Construction) Clean  
                                 O-1112-30 (Concurrent Construction) Annotated  
                                 Business & Community Affair Committee minutes 1-5-12  
                                 Study Session minutes

- 6      **AP-1112-15**      CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2  
TERM: 03-13-12 TO 04-10-13: HEATH HANS, 3820 CRAIL DRIVE

ENVIRONMENTAL CONTROL ADVISORY BOARD  
TERM: 03-13-12 TO 10-27-12: HOLLY ARMSTRONG, 3913 STONEWELL CT.

SOCIAL AND VOLUNTARY SERVICES COMMISSION  
TERM: 03-13-12 TO 12-09-14: BRIAN BURKS, 2112 CARNOUSTIE DRIVE

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. The following appointments will fulfill partial terms due to resignations from the current members. Heath Hans will replace Sondra Longcrier, Holly Armstrong will replace Jacy Crosbie, and Brian Burks will replace Golda Long.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: \_\_\_\_\_



- 7      **RPT-1112-26**      SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE PUBLIC ARTS BOARD ANNUAL REPORT AND DIRECTING THE FILING THEREOF.

ACTION NEEDED:    Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**    Public Arts Board Annual Report

- 8      **K-1112-93**      CONSIDERATION OF BID NO. 1112-36; CONTRACT NO. K-1112-93 WITH TERRELL ELECTRIC, INC. IN THE AMOUNT OF \$94,390; PERFORMANCE BOND NO. B-1112-24; STATUTORY BOND NO. B-1112-25; AND MAINTENANCE BOND NO. MB-1112-28 FOR THE TRANSFER STATION ELECTRICAL AND FIRE ALARM SYSTEM PROJECT.

ACTION NEEDED:    Acting as the Norman Municipal Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$94,390 to Terrell Electric, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1112-93 and the performance, statutory, and maintenance bonds, authorize execution of the contract, and direct the filing of the bonds.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**    Bid tab Transfer Station  
                         Engineer Recommendation  
                         K-1112-93  
                         K-1112-93 Performance Bond  
                         K-1112-93 Statutory Bond  
                         K-1112-93 Maintenance Bond  
                         Purchase Requisition

- 9      **GID-1112-67**      CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,230 FROM DR. BONNIE BOONE, D.V.M., TO BE USED FOR THE CONSTRUCTION OF THE ANIMAL WELFARE RENOVATION PROJECT.

ACTION NEEDED: Motion to accept or reject a donation in the amount of \$1,230 from Dr. Bonnie Boone, D.V.M., to be used for the construction of the Animal Welfare Renovation Project; and, if accepted, increase Animal Control Liability (010-0000-227-24-31) by \$1,230.

ACTION TAKEN: \_\_\_\_\_

- 10     **GID-1112-66**     CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$543.34 FROM THE "NEW SHELTER NOW FOR NORMAN" GROUP TO BE USED FOR THE CONSTRUCTION OF THE ANIMAL WELFARE RENOVATION PROJECT AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject a donation in the amount of \$543.34 from the "New Shelter Now for Norman" Group to be used for the construction of the Animal Welfare Renovation Project; and, if accepted, increase Animal Control Liability (010-0000-227-24-31) by \$534.34

ACTION TAKEN: \_\_\_\_\_

- 11     **FP-1112-14**     CONSIDERATION OF A FINAL PLAT FOR BDL ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE SOUTH SIDE OF ALAMEDA DRIVE ONE-FOURTH MILE EAST OF 72ND AVENUE S.E.)

ACTION NEEDED: Motion to approve or reject the plat for BDL Addition; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final plat.

ACTION TAKEN:

---

**Attachments:**     BDL Location Map  
                              BDL Preliminary Plat  
                              BDL Final Plat  
                              BDL Site Plan  
                              BDL Staff Report  
                              1-12-12 PC Minutes - BDL Addition

**Legislative History**

1/12/12	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
---------	---------------------	---

- 12     **FP-1112-5**     CONSIDERATION OF A FINAL PLAT FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF SIDEWALK AND STREET IMPROVEMENTS ADJACENT TO INDIAN HILLS ROAD. (LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD EAST OF 48TH AVENUE N.W.)

ACTION NEEDED: Motion to approve or reject the final plat for Bridgeview United Methodist Church Addition and the deferral of sidewalk and street improvements adjacent to Indian Hills Road; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of \$69,356 for deferred construction within 10 days after approval and \$1,469 for a traffic impact fee, and direct the filing of the final plat.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     Bridgeview Location Map  
                          Bridgeview Preliminary Plat  
                          Site Development Plan  
                          Bridgeview Final Plat  
                          Staff Report - Bridgeview FP  
                          Deferral - Bridgeview  
                          SMC Estimate  
                          9-8-11 PC Minutes - Bridgeview Final Plat

**Legislative History**

9/8/11	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
--------	---------------------	---

- 13     **FP-1112-17**     CONSIDERATION OF AN AMENDED FINAL PLAT FOR THE COTTAGES AT NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE NORTH SIDE OF IMHOFF ROAD EAST OF CLASSEN BOULEVARD)

ACTION NEEDED: Motion to approve or reject an amended final plat for the Cottages at Norman Addition, a Planned Unit Development; and, if approved, direct the filing of the amended final plat.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     Cottages at Norman Location Map  
                              Cottages at Norman Final Plat  
                              Cottages at Norman Am Final Plat  
                              Cottages at Norman Am Site Dev Plan  
                              Cottages at Norman Staff Report  
                              2-9-12 PC Minutes - Cottages at Norman

**Legislative History**

2/9/12	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
--------	---------------------	---

- 14     **FP-0910-10**     CONSIDERATION OF A FINAL PLAT FOR SUMMIT LAKES ADDITION, SECTION 8, (REAPPROVAL) AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED SOUTH OF ALAMEDA STREET AND EAST OF 24TH AVENUE S.E.)

ACTION NEEDED: Motion to approve or reject the final plat for Summit Lakes Addition, Section 8; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final plat.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     Location Map  
                              Prelim Plat-Summit Lakes  
                              Final Plat-Summit Lakes  
                              Staff Report  
                              PC Minutes

**Legislative History**

6/10/10

Planning Commission

Recommended for Adoption at a  
subsequent City Council Meeting to the City  
Council

- 15     LL-1112-10     LIMITED LICENSE NO. LL-1112-10: LIMITED LICENSE TO PLACE THIRTEEN (13) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE ASSISTANCE LEAGUE OF NORMAN FOR THE MAY FAIR ARTS FESTIVAL TO BE HELD SATURDAY, MAY 5, 2012.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-10 to place thirteen (13) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: \_\_\_\_\_

Attachments:    Limited License  
                         May Fair application  
                         May Fair Arts Festival Locations

- 16     SC-1112-7     SPECIAL CLAIM NO. SC-1112-7: A CLAIM IN THE AMOUNT OF \$3,329.60 SUBMITTED BY SOUTHWESTERN BELL TELEPHONE D/B/A AT&T FOR DAMAGES TO A TELEPHONE CABLE BY A STORMWATER MAINTENANCE CREW DURING EXCAVATION AT THE SOUTHWEST CORNER OF DELLA STREET AND 36TH AVENUE N.W.

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1112-7; and, if approved, direct payment in the amount of \$3,329.60 contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone d/b/a AT&T.

ACTION TAKEN: \_\_\_\_\_

Attachments:    Staff Memo - First  
                         AT&T Notice of Claim  
                         2nd Staff Memo - AT&T  
                         Claim for damages AT&T

- 17     **R-1112-113**     RESOLUTION NO. R-1112-113: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACCEPTING AND DEPOSITING \$10,000 FROM THE UNIVERSITY OF OKLAHOMA (OU) INTO THE REIMBURSEMENT/REFUND CAPITAL ACCOUNT AND APPROPRIATING THOSE FUNDS TO PAY OU'S SHARE OF THE DESIGN OF THE JENKINS AVENUE CONTINUOUS ROADWAY LIGHTING UPGRADE PROJECT.

ACTION NEEDED:     Motion to adopt or reject Resolution No. R-1112-113.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     Attachment No. 1 - Location Map  
                             R-1112-113

**Non-Consent Items**

- 18      **O-1112-21**      ORDINANCE NO. O-1112-21: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A BAR, LOUNGE, OR TAVERN WITH LIVE ENTERTAINMENT IN PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT; LYING WITHIN LOTS 1 AND 2, BLOCK 23, ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (300 EAST MAIN STREET)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-21 upon Section Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-21 upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**    O-1112-21 Joy's Palace  
                          O-1112-21 Joy's Palace Location Map  
                          Joy's Palace Special Use Staff Report  
                          Joy's Palace Pre-Development Summary  
                          2-9-12 PC Minutes - Joy's Palace

**Legislative History**

2/9/12	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
2/28/12	City Council	Introduced and adopted on First Reading by title only



- 19      **O-1112-22**      ORDINANCE NO. O-1112-22: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE ALLEY RIGHT-OF-WAY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, CLASSEN/MILLER ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (325 EAST KEITH STREET)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-22 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-22 upon final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**    O-1112-22 Closing Alley on Keith  
                         O-1112-22 Long Location Map  
                         Staff Memo Long Closure  
                         Letter of Request Long Closure  
                         Radius Map Long Closure  
                         Long-Kiacz Alley Closure Staff Report  
                         Long Easement Non-Objections  
                         2-9-12 PC Minutes - Long Alley

**Legislative History**

2/9/12	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
2/28/12	City Council	Introduced and adopted on First Reading by title only

- 20     **R-1112-111**     RESOLUTION NO. R-1112-111: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-04, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE LOW DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE FLOODPLAIN DESIGNATION FOR THE HERINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-111, Land Use Plan Amendment No. LUP-1112-04; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     R-1112-111 Fountain View North  
                              Location map  
                              Fountain View 2025 Staff Report  
                              2-9-12 PC Minutes - Fountain View North

**Legislative History**

2/9/12	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
--------	---------------------	---

- 21     **O-1112-23**     ORDINANCE NO. O-1112-23:    AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

ACTION NEEDED:    Motion to adopt or reject Ordinance No. O-1112-23 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED:    Motion to adopt or reject Ordinance No. O-1112-23 upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**    O-1112-23 Fountain View North  
                         Fountain View North PUD Narrative revised 1-25-12  
                         O-1112-23 Location Map  
                         Fountain View Rezone Staff Report  
                         2-9-12 PC Minutes - Fountain View North

**Legislative History**

2/9/12	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting to the City Council
2/28/12	City Council	Introduced and adopted on First Reading by title only

- 22     **PP-1112-9**     CONSIDERATION OF A PRELIMINARY PLAT FOR FOUNTAIN VIEW NORTH ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

ACTION NEEDED: Motion to approve or reject a preliminary plat for Fountain View North Addition, a Planned Unit Development District.

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     Attachment A-Traffic Capacity Analysis  
                             Fountain View North Location Map  
                             Fountain View North Prelim Plat Staff Report  
                             Fountain View North - Preliminary Plat  
                             Fountain View North Prelim Plat (no topo)  
                             Fountain View North Site Devel Plan  
                             Fountain View North Pre-Dev Summary  
                             Greenbelt Enhancement Statement  
                             GBC 11-24 Fountain View Addition Section 4- Comments to PC  
                             2-9-12 PC Minutes - Fountain View North

**Legislative History**

2/9/12	City Council Planning and Community Development Committee	Recommended for Adoption at a subsequent City Council Meeting to the City Council
--------	---	---

- 23     **K-1112-114**     CONTRACT NO. K-1112-114:     A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS, INC. IN THE AMOUNT OF \$385,947 TO PREPARE THE 2060 STRATEGIC WATER SUPPLY PLAN AND BUDGET APPROPRIATION.

ACTION NEEDED:     Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1112-114 with Carollo Engineers, Inc., in the amount of \$385,947; and, if accepted authorize the execution thereof and appropriate \$85,947 from the Water Fund Balance (031-0000-253-0000) to Project WA0174, Water Supply Plan Update, Design (031-9196-462-62-01).

ACTION TAKEN: \_\_\_\_\_

**Attachments:**     Contract No. K-1112-114  
                              Scope of Work  
                              Final Fee Estimate - Norman 2060 SWSP 030512  
                              Requisition 197304

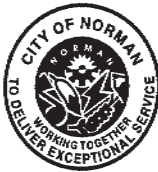
**Legislative History**

2/14/12             City Council                     Postponed

24     **Miscellaneous Discussion**

**This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited to five minutes or less.**

25     **Adjournment**



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File ID:**

**Type:** Minutes

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 4

**In Control:** City Council

**Department:** City Clerk Department

**Cost:**

**File Created:** 03/08/2012

**File Name:** Minutes

**Final Action:**

**Title:** CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 14, 2012  
CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 21, 2012  
CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 28, 2012  
CITY COUNCIL MINUTES OF FEBRUARY 28, 2012  
NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 28,  
2012  
NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 28,  
2012  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF  
FEBRUARY 28, 2012  
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS  
COMMITTEE MINUTES OF MARCH 1, 2012

**ACTION NEEDED:** Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or reject the minutes; and, if approved, direct the filing thereof.

**ACTION TAKEN:** \_\_\_\_\_

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 4

**Attachments:** February 14 Conference minutes, February 21 Study Session minutes, February 28 Conference minutes, February 28 CC minutes, March 1 Bus. & Comm. Affairs Comm. Minutes

**Project Manager:** Brenda Hall

**Entered by:** Brenda Hall

**Effective Date:**

## CITY COUNCIL CONFERENCE MINUTES

February 14, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 14th day of February, 2012, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

ABSENT:

Councilmember Dillingham

Item 1, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1011-152 WITH RUDY CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$23,680.15 FOR THE JEFFERSON – LONGFELLOW SAFE ROUTES TO SCHOOL PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Mr. Angelo Lombardo, Traffic Engineer, said on May 31, 2011, Council approved Contract K-1011-152 with Rudy Construction Company in the amount of \$183,517.06 for the construction of infrastructure improvements near Jefferson and Longfellow Schools in association with the Jefferson-Longfellow Safe Routes to School Project. On July 26, 2011, Council approved Change Order No. 1, which modified the traffic-calming element of the project by substituting flashing school beacons for the originally planned speed tables, thus decreasing the contract by \$1,972.61, down to \$181,544.45. Mr. Lombardo said the reimbursable infrastructure grant to do this project is \$198,900, and required the City to up-front the funds for all construction and material testing activities.

Change Order No. 2, increases the contract amount by \$23,680.15 and establishes a revised contract fee of \$205,224.60. Mr. Lombardo said Change Order No. 2, adds two (2) new pay items that were not included in the plans and reconciles the original and as-built quantities. He said most of these changes were required by Oklahoma Department of Transportation (ODOT) due to slight location changes in the field and the typical field changes inherent in sidewalk and ramps construction. These changes allowed for more sidewalks to be constructed.

Change Order No. 2 to Contract No. K-1011-152 is included on Council's regular agenda later this evening.

Items submitted for the record

1. Text File No. K-1011-152 dated February 1, 2012, from Angelo Lombardo, Traffic Engineer
2. Change Order No. Two to Contract No. K-1011-152

Item 2, being:

DISCUSSION REGARDING RESULTS OF THE COMMUNITY SURVEY AND THE DRAFT SCOPE FOR A COMPREHENSIVE TRANSPORTATION PLAN.

Mr. O'Leary said on September 13, 2011, Council approved K-1112-43, with H.W. Lochner, Inc., to provide scoping services for a Comprehensive Transportation Plan (CTP). The CTP scoping process involved seven (7) Council presentations, ten (10) Steering Committee meetings, ten (10) Community Visioning Committee meetings, eight (8) ward meetings, three (3) public meetings, and media outreach to gather information. Mr. O'Leary requested Ms. Karen Falk, with ETC Institute (ETC), be invited to the conversation via telephone so that she could address any question(s) concerning the methodology of the CTP survey and Council agreed.

Mr. O'Leary asked Ms. Falk to speak to her background with similar surveys and how the relationship to the sample group relates to a voter group. Ms. Falk said the sample CTP survey was mailed to residents in the area. ETC first gathered a random sample of the entire Norman area making certain the sample size was large enough based upon the number of desired surveys to be completed and returned. Ms. Falk said based on way the citizens responded, ETC felt



the survey included a good cross-section of what is primarily a voter population as well as being a very supportive group in general. Councilmember Kovach asked if ETC had conducted follow-up surveys with other cities that have ran a bond issue by comparing the results of the bond election with the prior survey results and Ms. Falk answered in the affirmative. She said when ETC gives survey results of 60% satisfied, Council can go to the voting public and the voting result(s) should be within the +/-5% margin of error meaning the actual voting result could be within 55% to 65%. Ms. Falk felt the City was in very positive position to move forward with many of transportation improvements. Councilmember Gallagher asked if a target age was a factor taken into consideration and Ms. Falk said the surveys did not ask the age of the respondent, but ETC did not survey anyone under the age of 18 years old.

Councilmember Kovach asked ETC to define the survey verbiage "somewhat unlikely" and Ms. Falk said ETC considered the "somewhat unlikely" responses to be deemed "unlikely" responses. Those responses can give the City a sense of whether or not public education might assist with a more positive response. Ms. Falk felt the City could rely on the "extremely likely" responders to vote if a bond election were to transpire while the City should only depend on approximately one-half of the "somewhat likely" responders to vote. Mayor Rosenthal said it appears ETC is suggesting that a lot will depend on the campaign targeting the "somewhat unlikely" and/or neutral responders who may not have made up their mind one way or another. Ms. Falk felt the CTP survey report gives the City some very positive information but should the City desire, ETC can provide a very quick phone survey of one or two questions in order to provide the City a degree of absolute positivity about a specific bond issue.

Councilmember Kovach asked what the cost of a follow-up phone survey would be and Ms. Falk said it would be \$3,000. She said calls would be placed to 400 citizens and would be one-page survey having two or three questions pertaining to an issue, as well as two to three demographic questions to make certain of good representation.

Mr. Charlie Schwinger, Lochner, provided a brief overview of the 2011 Community Transportation Plan (CTP) Survey said that ETC Institute administered a survey for the City during November and December 2011. He said a four-page survey was mailed to a random sample of 1200 households in the City and approximately seven days after the surveys were mailed the residents who received the survey were contacted by phone. Citizens who indicated they had not completed and returned the survey were given the option of completing it by phone. Mr. O'Leary said the City received 402 completed surveys, or 34% response rate) and the results for the random sample of 402 households have a 95% level of confidence with a precision of at least +/-5%, making it statistically reliable.

Mr. O'Leary highlighted the major findings of CTP survey as follows:

- Perception of current traffic issues;
- Transportation issues of most importance over the next ten years;
- Level of support for various transportation improvements;
- Sections of roads that are most problematic and resident willingness to fund change;
- Transit in Norman;
- Bike riding in Norman;
- Walking in Norman;
- The importance of resolving transportation problems facing the City of Norman;
- Budgeting transportation dollars;
- Satisfaction with transportation access to downtown Norman; and
- Support for funding a new north/south roadway.

Mr. Schwinger said in instances where respondents were dissatisfied 40% or higher with a particular issue the City should consider addressing the issue. He said the top three dissatisfied current transportation issues include:

1. Condition of the roadways - 32%
2. Flow of traffic during rush hour - 31%
3. Ease of east/west travel in Norman - 28%



Mr. Schwinger said the top three transportation improvement issues receiving support are :

1. Improving maintenance of existing roadways/bridges - 45%
2. Improve traffic/eliminating bottlenecks/congestion - 44%
3. Improve major roads around the outer edges - 40%

Several sections of roads in Norman are too congested and have high traffic accidents and the respondents felt the following four roads should receive attention first:

1. Porter Avenue (Alameda Street to Robinson Street) - 50%
2. Robinson Street between 24<sup>th</sup> Avenue N.W. and 36<sup>th</sup> Avenue N.W. - 49%
3. Lindsey Street (West of Berry Road) - 47%
4. North Flood Street (Robinson Street to Main Street) - 44%

The CPT survey showed a fairly high level of dissatisfaction with transit availability issues in Norman. Frequency of bus service and destinations served by public transit (both 41% dissatisfied); distance from home to nearest transit stop (39% dissatisfied); availability of information on public transit (35% dissatisfied); and hours/days transit service is provided (31% dissatisfied). However, the number one reason Norman citizens do not use public transit more often is because they prefer to drive their own car.

The CPT survey reflected that 33% of the respondents have ridden a bicycle during the past year while 67% have not and 67% do not feel very safe bicycling on streets in the area where they live compared to 28% that do feel safe. Eighty-five percent (85%) of the respondents have walked along streets in their area during the past year with 50% feeling safe, 31% feeling very safe, and 19% not feeling very safe. Fifteen percent (15%) have not walked along streets in their area.

On the issue of how important respondents felt providing a resolution to the transportation problems facing the City, 35% felt it was very important; 31% extremely important; 24% important; 6% not very important; and 1% not important at all. Respondent results regarding how the City should divide its transportation dollars to benefit the community based on \$100 are: maintain existing roads (\$38); wider streets/highways (\$16); bike paths/lanes (\$10); sidewalks (\$9); public bus service (\$9); seniors/disabled (\$9); passenger rail (\$7); and other (\$2). Mayor Rosenthal requested Staff develop a pie chart reflecting how/where the City is currently spending transportation dollars so that Council can see how it matches up with the survey results.

Forty-four percent (44%) of respondents are satisfied with transportation access to downtown Norman with 32% not sure, 18% not satisfied; and 6% very satisfied. Respondents answered the following regarding how likely they would support funding a project creating a new north/south roadway along the railroad corridor from North Flood Street to the downtown area and on to the University of Oklahoma (OU) campus: somewhat likely (32%); neutral (23%); extremely likely (21%); somewhat unlikely (13%); and extremely unlikely (11%). Councilmember Kovach asked if the responses "not sure" and "neutral" can be defined as "does not affect me?" and Mr. O'Leary felt those particular responses pertained more to the fact that the respondent was not quite sure about, or understood, the north/south roadway along the railroad corridor concept.

Mr. Schwinger said in summary the CPT survey shows to be statistically valid for the community and the three main areas of dissatisfaction are road conditions, peak hour traffic, and east-west travel. He said there is strong support for improvements in transportation and a balanced transportation system.

### **Moving Forward**

Mr. O'Leary said if Council decided to move forward with a CTP, Lochner has provided a scope of services that reflects the values and priorities of the community that was compiled during the community involvement process. He said it is anticipated that further refinement of the guiding principles, goals, and strategies will occur throughout the transportation planning process (Phase II). Mr. Schwinger felt a CTP should be a community based plan and recommended to obtain and gather information by working through five (5) sub-committees. He said each sub-

committee would have a focus area they would work on and will probably meet at least eight (8) times during the course of the study process. Mr. Schwinger said the sub-committees will report back to the 17 citizen member Visioning Committee to pull all the pieces together; the Visioning Committee will report back to the Steering Committee which consists of four Councilmembers from the Council Community Planning and Transportation Committee, and will then be presented to the full Council for consideration. Mr. Schwinger said the consultant the City will hire will be the facilitator and provide technical analysis, input, ideas to the committees, and make recommendations and the Staff's role will be to provide direction to the consultant. He said the citizen sub-committees will provide oversight to each of the plan components, the Visioning Committee will provide oversight to all the plan contents, the Steering Committee will provide recommendations to Council, and Council will be responsible for adopting the CTP and policies.

It is anticipated that the involvement of the Visioning Committee will continue throughout the development of the CTP and the community involvement structure will include 10 community advisory committee meetings; 10 steering committee meetings; seven (7) Council presentations; and three (3) open public meetings for a total of 70 meetings. Mr. Schwinger said media outreach will be very important throughout the CTP process and as work products are developed they will need to be available and transparent to the public.

Councilmember Kovach asked how much Staff time will be needed to support the 70 CTP meetings and Mr. Schwinger said approximately 2500 hours over a projected 16 month period. Councilmember Kovach asked if Staff will be able to meet that obligation and Mr. O'Leary said yes. Mr. O'Leary said Staff preparation and hours will be significant and felt concerned when embarking a project such as this and said that is the reason why Staff would need the assistance of a consulting firm. He said there is certainly value to Staff's involvement during the CTP process from cost savings to Staff engaging directly with the community as well as with Council. Councilmember Kovach asked about the status of hiring a City Engineer who could greatly assist with the CTP and Mr. Steve Lewis, City Manager, said a recruitment firm is currently assisting the City in enlisting appropriate applicants.

The CTP will be a comprehensive document that will include the development and refinement of the guiding principles and goals; the assessment of existing and future transportation needs; the identification of policies that will support the development and management of transportation systems; and a plan for implementation of the CTP recommendations. Mayor Rosenthal felt the CTP will be very important to the 2025 Land Use and Transportation Plan (LUP) update because the City of Norman has never completed a transportation component in a comprehensive approach. Councilmember Kovach asked the target date for the 2030 LUP update and the Mayor Rosenthal felt the 2030 LUP update will begin as the CPT is coming to some conclusion. She felt the 2030 LUP update will not/should not be done before and/or simultaneously until the transportation piece is completed because some of the infrastructure plans will need to be determined in order to move forward with discussing land use.

Mr. Schwinger said the CTP guiding principals and goals should be consistent with federal, state, and regional transportation plans and policies. He said the City will need to conduct an assessment of existing transportation systems and forecast transportation conditions to be consistent with the Association of Central Oklahoma Governments (ACOG) Regional Transportation Plan, Encompass 2035. Each sub-committee will evaluate the measures of performance for each of the improvement projects they identify as a basis for prioritizing the projects and the CTP consultant will provide estimates of implementation costs.

Transportation policies are statements that provide a course of action to address transportation issues and can provide direction for both the development and management of as the transportation systems in the city. Each sub-committee will collaborate with the CTP consultant to prepare draft policies pertaining to their segment of the CTP. The implementation component of the CTP provides action steps for the implementation of the plan over a 20 year period; includes a method for prioritizing projects as they relate to the CTP goals, identifies potential funding sources; and creates a capital improvement plan for transportation improvements.

***CTP Consultant Scope of Services***

The CTP consultant will recommend the organizational structure for the sub-committees by system; prepare a draft charter for each of the sub-committees identifying their responsibilities and objectives; program meeting agendas for each; and schedule meeting dates. The consultant will also provide a facilitator for each of the sub-committee meetings and the City will provide Staff to record meeting notes. Recommendations from the sub-committees for any changes to the CTP goals and identification of the measures of achievement will be presented by the consultant to City Staff, the Visioning Committee, and the Steering Committee for discussion and inclusion in the plan, along with recommendations for any changes to the CTP goals to be used for prioritizing transportation improvements.

**Assessment of Existing Transportation Systems**

The CTP consultant will collaborate with Staff to obtain copies of relevant studies and inventories in order to prepare a summary matrix so a review of the information can be completed for relevancy to the Norman CTP and will compile data gathered from the City, ACOG, or the Oklahoma Department of Transportation (ODOT). The consultant will assess the existing conditions of the Norman transportation system and provide a summary of assessment results.

The consultant will assist the City in hosting and preparing exhibits for a public open house to present the short range recommendations and will perform a statistically valid community survey to measure public acceptance and support for the short range recommendations.

Mr. Schwinger said the consultant will obtain the base year and 2035 travel demand models from ACOG to develop a refined sub-area model specifically for Norman and the modeling will be compatible with Encompass 2035 modeling. He said the next step will involve the consultant working with Staff and the sub-committee charged with responsibility for street improvements and review the existing major street classifications. Based on discussions and options for alternative classification criteria, the consultant will identify criteria for street classification, classify the major streets, and develop typical roadway sections for each classification. It is anticipated the major street classification will reflect complete streets incorporating accommodations for autos, transit, bicycles, pedestrians, and streetscape elements and will be reviewed and revised based on comments by Staff, the Visioning Committee, the Steering Committee, and sub-committees.

The next steps include the consultant meeting with the sub-committees responsible for future street and highway improvements; future pedestrian transportation system future bicycle system and future transit system to develop strategies and identify specific projects to address improvements. Mr. Schwinger said Max Westheimer Airport has recently completed a master plan update and the recommendations will be summarized and referenced in the CTP.

The consultant will work with Staff and sub-committees to review existing transportation policies and draft new policies which support the CTP goals and best transportation practices. The draft policies will be compiled and presented to the Visioning Committee and Steering Committee for consideration and discussion.

The consultant will meet with Staff and the Visioning Committee to prioritize the projects and programs recommended by the sub-committees and the consultant will provide a numerical ranking of project priorities in a matrix format. The results of the ranking(s) will be presented to Council for consideration and comment. The consultant will then meet with Staff to evaluate current revenue sources and streams directed toward transportation investment, operation, and maintenance in the City in order to develop a funding program. Next the consultant will meet with Council to review the funding potential for the priority projects and will provide recommendations for establishing new funding streams, identifying funding opportunities.

The consultant will prepare a Transportation Improvement Program (TIP) which will address all components of transportation in Norman and will also include a time line for implementation of each priority, a dedicated funding stream, and opportunities for supplemental funding needed to achieve the planned schedule, or to accelerate the implementation. The consultant will review the TIP with Staff and present the plan to the Visioning Committee and Council for endorsement and approval.



The consultant will compile the documentation of the CTP in a report format and the document will be made available to the City, who will make the document available for public comment for a period of 60 days. The consultant will review the public comments with Staff and make appropriate revisions. The final report will be presented to Council and the Planning Commission for approval.

Councilmember Kovach asked what the cost of the CTP process would be and Mr. O'Leary said it will cost approximately \$250,000 to \$300,000 based on the afore-mentioned approach. Mayor Rosenthal felt the accomplishment of a CTP might reduce the costs on the 2030 LUP update. Councilmember Kovach asked the timeline to move forward and Mr. Lewis said Staff will bring back a couple of work scope options. Mr. Lewis said Staff will recommend Council consider including funds in the FYE 2013 Budget and with Council approval it will be effective July 1, 2012.

Items submitted for the record

1. "Moving Forward, Norman Oklahoma, Comprehensive Transportation Plan," prepared by Lochner
2. 2011 Norman Community Transportation Survey FINAL Report, dated January, 2012, prepared by ETC Institute

The meeting adjourned at 6:22 p.m.

ATTEST:

---

City Clerk

---

Mayor

## CITY COUNCIL STUDY SESSION

February 21, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Conference Room on the 21st day of February, 2012, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

ABSENT:

None

Item 1, being:

### FURTHER DISCUSSION REGARDING THE CITY OF NORMAN POLICE DEPARTMENT WRECKER POLICY.

Mr. Jim Maisano, Deputy Police Chief, said the proposed changes to the City of Norman Police Department (PD) Wrecker Policy was reviewed at a Study Session on January 17, 2012, and by the City Council Oversight Committee on February 1, 2012. He said, at the Study Session, Council recommended Staff meet with local wrecker companies for their input and report the proposals to the Council Oversight Committee. He said Staff met with the three wrecker companies and also received questions and comments from citizens. He said the new proposals will help citizens and the Police Department with their interactions with wrecker companies as well as benefit the wrecker companies.

Deputy Chief Maisano said the policy changes will apply equally to all wrecker companies and does not eliminate any current wrecker company from the rotation; however, there is one wrecker company that subdivided into three separate wrecker services and was on the rotation schedule three times. He said the new policy would limit that company to being on the rotation schedule one time. He said if the policy is implemented, the company will be notified within ten days to allow them to respond.

Deputy Chief Maisano said the new policy outlines a procedure to utilize either a wrecker rotation system or a competitive bid process; however, after further review and meeting with wrecker companies, staff believes continuation of the use of a wrecker rotation system is the best option at this time. He said both options are included in the wrecker policy so that additional corrections would not be necessary should a change in the process be needed in the future. He said modifications to the policy include:

- Annual inspections for each wrecker service in the wrecker rotation
- Wrecker drivers will be licensed through the City of Norman with criminal and driving records checked
- A response time has been established, which all current wrecker companies agree to be reasonable
- Wrecker company owners will be limited to one spot on the rotation to ensure a fair rotation schedule
- An administrative policy has been developed to address issues when any wrecker company on the rotation does not comply with the Wrecker Service Policy

Deputy Chief Maisano said wrecker companies will have a 20 minute response time for urban areas and 35 minutes for rural areas with a 90% compliance requirement for response times. If there are three or more excessive violations in a six month period, a License Review Board may be held to meet with the owners to try to alleviate whatever problems are occurring. Councilmember Gallagher asked if the response times were average for cities of Norman's size and Deputy Chief Maisano said yes, and the wrecker companies agreed on the response times as well. He said the wrecker companies felt they would be able to meet the 90% compliance based on the number of calls received by the PD annually. Councilmember Gallagher asked if wrecker drivers obey the speed limit when they are dispatched, especially when responding in rural areas and Deputy Chief Maisano said they are not an authorized emergency vehicle so they must obey all traffic laws.

Deputy Chief Maisano said the wrecker companies requested that one wrecker company be called for one incident instead of one wrecker service per vehicle involved in an incident. He said having all the vehicles at one impoundment location will benefit the PD, citizens, and insurance companies. Councilmember Gallagher asked if the current wrecker companies have the capability to tow up to four vehicles for one incident and Deputy Chief Maisano said yes. He said wrecker companies that participate must also have two drivers available from 7:00 p.m. to 7:00 a.m. and four drivers during the daytime hours. He said there is a provision in the policy that states if the wrecker company does not have enough vehicles to respond, the PD can call the next company on rotation.

Deputy Chief Maisano said State statutes have wrecker requirements, which will be incorporated into the wrecker policy by reference.

Deputy Chief Maisano said Staff reviewed allowing wrecker companies to collect City administrative fees; however, at this time, that has proven to be more complicated than anticipated. He said Staff will continue to review this issue and make recommendations to Council when a plan is drafted. Councilmember Kovach said he would like this implemented as it would be a benefit to the citizens.

Mayor Rosenthal asked how Council would be notified if the PD decided to proceed with a bid process in the future and Deputy Chief Maisano said any bid process would include a contract, which would have to be approved by the Council.

Councilmember Gallagher asked if the City was receiving a "privilege fee" from the wrecker companies and Deputy Chief Maisano said Tulsa and Oklahoma City do charge a stipend from wrecker services, but the City of Norman does not.

Councilmember Spaulding asked how many wrecker companies are in Norman and Deputy Chief Maisano said, according to the Department of Public Safety (DPS), there are five licensed wrecker companies in Norman; however, three of the companies belong to one owner and that company will only get one rotation spot on the schedule instead of three to make it more equitable to the other wrecker companies.

Councilmembers were in consensus to move forward with the policy amendments and asked Staff to keep working on a way the wrecker companies can collect City administrative fees.

Items submitted for the record

1. Memorandum dated January 30, 2012, from Keith L. Humphrey, Chief of Police, to Steve Lewis, City Manager
2. PowerPoint presentation entitled, "Wrecker Policy Update," Norman City Council Study Session, February 21, 2012

Item 2, being:

**DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE CITY'S CONCURRENT CONSTRUCTION ORDINANCE THAT WOULD ALLOW FOR THE INITIATION OF CONSTRUCTION PRIOR TO THE COMPLETION OF PUBLIC IMPROVEMENTS IN RESIDENTIAL DEVELOPMENTS.**

Mr. Shawn O'Leary, Director of Public Works, said the Norman Developer's Council (NDC) and Builder's Association of South Central Oklahoma (BASCO) had requested the City of Norman allow concurrent construction for the initiation of construction prior to completion of public improvements in residential developments. He said currently, the City of Moore, City of Oklahoma City, and City of Midwest City have some version of concurrent construction in residential subdivisions. He said the goal of allowing concurrent construction in residential areas is to expedite development and stimulate the economy. He said the Business and Community Affairs Committee reviewed the proposed amendments to the City's Concurrent Construction Ordinance on January 5, 2012.

Mr. O'Leary said concurrent construction allows concurrent building of public improvements at the same time the private sector is building their private improvements. He said, currently, the public improvements in a residential subdivision must be completed before the City of Norman will allow a building permit to be issued. He said the reason for not allowing concurrent construction are the risks involved. He said there is the risk that the homeowner's home is built, they are ready to move in, but the street is not installed, the water and sewer systems are not completed, no fire protection, emergency vehicles cannot get into the areas without streets, etc. There are also concerns regarding the financial security of the developer and making sure they have financial surety in case they are unable to finish the public improvements.

He said some of the key issues to be addressed in the updated policy for allowing concurrent construction in residential subdivisions are continuing reasonable requirements for financial security provided by developers; withholding Certificates of Occupancy (CO) for all single family homes until all public improvements have been completed and accepted by the City; retaining current high quality standards for design, construction, and warranty of all public improvements; maintaining public safety; and continuing the City's successful program of requiring detailed Storm Water Grading Plans for each subdivision prior to filing of the final plat.

The key ordinance provisions are that the final plat can be filed upon substantial completion of streets and storm drainage and complete construction of water and sewer; a building permit can be issued after the final plat is filed; no CO will be issued until all public improvements are completed; financial security will be required for only the remaining public improvements; subdivision grading plans must be certified and complete with filing of the final plat; and high quality public improvements including standard maintenance warranty will be required.

Mr. O'Leary said other cities require full financial surety for all of the public improvements despite what is finished and Norman will be unique in requiring financial surety for only the remaining public improvements.

Councilmember Kovach asked if a four inch street pavement sub-base would support emergency vehicles and Mr. O'Leary said yes, according to design standards it will. He said if there is a sub-grade failure, the City will see it and the developer will be responsible for repairs, not the City. Councilmember Kovach said if citizens are ready to move into a house and the City cannot issue a CO because 100% compliance has not been obtained, does the City, at that time, access the surety bonds and Mr. O'Leary said the City could do that, but it is an unlikely occurrence. Mr. Rick Knighton, City Attorney, said it would be a timing issue of how far along the public improvements are versus the residents wanting to move into their home. Councilmember Kovach asked who would make the call in determining whether or not a surety bond needs to be accessed and Mr. O'Leary said the Public Works Department manages all the platting and public improvements so they would probably make that call. He said, ultimately, the Legal Department would need to advise the Public Works Staff if legal action needed to be taken. Councilmember Dillingham felt that Staff would be well aware of potential problems before it resulted in legal action and Mr. O'Leary agreed and felt the risk would be limited.

Councilmember Gallagher asked what big advantage the City would have in allowing concurrent construction instead of having everything completed first and Mr. O'Leary said the developers believe it will save them time. He said Staff is asking Council to decide if it is worth the benefit to the community in getting the development started and getting the investment in the homes sooner versus the risk of having it all complete.

Councilmember Griffith said he was pleased about the Storm Water Grading Plan requirements. He said if a house is being built below grade, he could see silting issues being compounded and asked if there will be a policy in place for more stringent erosion control. Mr. O'Leary said there is potential for silting problems; however, the developers usually do a good job with erosion control and probably will not let that happen since it would be more costly and a nuisance to them.



Mayor Rosenthal said she was concerned about the potential homeowner who purchases a property under construction and may not be aware that they may not get a CO for six to eight months. She asked if the City can require a notice to buyers and Mr. O'Leary said there are provisions that can be made with the issuance of the building permit, but the City does not have a relationship with the homebuyer. He said it is a private transaction between the buyer and developer and he was unsure how notice could be given to them from the City. Mayor Rosenthal suggested a printed notice to the person obtaining the building permit to be more proactive in saying the information should be provided to perspective home buyers and Mr. O'Leary said that was doable and a great idea. Councilmember Dillingham said if the developer intends to avail himself of this process then the ordinance could include language that includes a notification on the building permit that this is subject to the concurrent construction ordinance.

Mr. Stephen Tyler Holman, 1020 South College, asked if the ordinance would affect un-platted parcels not located in a subdivision and Mr. O'Leary said no, it would only apply to platted subdivisions not private homes that are not built in a subdivision.

Ms. Joy Hampton, The Norman Transcript, said she was concerned about the older, inferior neighborhoods and asked if anything was being done to protect those neighborhoods as new development is being encouraged. She said it may not be in the scope of this ordinance, but when you rush new developments rushed, people flee to those places, which affects older neighborhoods. She said new developments can imperil interior neighborhoods that may already be in the balance.

Councilmember Dillingham asked if the developers are on board with the ordinance and Mr. Harold Heiple, Attorney, said yes, the ordinance was discussed with developers from the beginning and many of their ideas were incorporated into the ordinance.

Items submitted for the record

1. PowerPoint presentation entitled, "Concurrent Construction – Residential Development – Ordinance No. O-1112-30," City Council Study Session, Tuesday, February 21, 2012
2. Ordinance No. O-1112-30

The meeting adjourned at 6:30 p.m.

ATTEST:

---

City Clerk

---

Mayor



## CITY COUNCIL CONFERENCE MINUTES

February 28, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:00 p.m. in the Municipal Building Conference Room on the 28th day of February, 2012, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

**PRESENT:**

Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

**ABSENT:**

Councilmember Dillingham

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-84 WITH SILVER STAR CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$82,560 TO UTILIZE FOR BUDGET AMOUNT FOR THE 2012 URBAN ASPHALT PAVEMENT REHABILITATION BOND PROJECT.

Mr. Shawn O'Leary, Director of Public Works, said voters approved the Urban Asphalt Rehabilitation Bond Program in the Norman General Obligation (GO) Bond Election in March 2010, and the original budget is \$8,250,000. He said the lowest bid received on January 19, 2012, was from Silver Star Construction Company, Inc., in the amount of \$1,425,555.70, which is 5.5% under the budget total. Mr. O'Leary said if approved, construction will begin on the 14 locations on neighborhood asphalt streets in March 2012, and be completed by June 30, 2012. He said Change Order No. 1 in the amount of \$82,560 will utilize all of the funds collected for this portion of the 2010 Bond Program, thus increasing the contract by 5.5% for a total amount of \$1,508,115.70.

The Change Order is included on Council's regular meeting agenda later this evening.

Items submitted for the record

1. Text File No. K-1112-84 dated January 30, 2012
2. Change Order No. One to Contract No. K-1112-84 with Tabulation of Bids and List/Map of Project Locations

Item 2, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-85 WITH CENTRAL CONTRACTING SERVICES, INC. INCREASING THE CONTRACT AMOUNT BY \$85,307 TO UTILIZE FOR BUDGET AMOUNT FOR THE 2012 URBAN CONCRETE REHABILITATION BOND PROJECT.

Mr. O'Leary, Director of Public Works, said voters approved the Urban Concrete Rehabilitation Bond Program in the Norman General Obligation (GO) Bond Election in March 2010, and the original budget is \$4,500,000. He said the lowest bid received on January 19, 2012, was from Central Contracting Services, Inc., in the amount of \$790,420, which is 9.75% under the budget total. Mr. O'Leary said if approved, construction will begin on March 2012, and be completed by June 30, 2012, in six (6) neighborhoods including 96 streets that were identified for the FYE 2012 Program. He said Change Order No. 1 in the amount of \$85,307 will utilize all of the funds collected for this portion of the 2010 Bond Program, FYE 2012 projects, thus increasing the contract amount by 9.75% for a total amount of \$875,727. The additional funding will be used to perform more repairs within the Castlerock Addition.

The Change Order is included on Council's regular meeting agenda later this evening.

Items submitted for the record

1. Text File No. K-1112-85 dated January 27, 2012
2. Change Order No. One to Contract No. K-1112-85 with Tabulation of Bids and List/Map of Project Locations

Item 3, being:

DISCUSSION REGARDING ROOM LOCATION AND PROCEDURES FOR CITY COUNCIL STUDY SESSIONS.

Mayor Rosenthal said it has been requested to consider the possibility of moving the City Council Study Sessions to the Council Chambers as well as allowing the public an opportunity to speak and/or ask questions at the close of a Study Session. Councilmember Kovach felt it would be more conducive if Council took limited public input only on items on the agenda and being in the Council Chambers would assist in making that easier to accomplish. He felt the entire Council was in consensus on this issue and he would support moving the Study Session into the Council Chambers. Councilmember Dillingham said she would support the Council majority to increase the opportunity for public comment; however, the Study Session environment was created so that Council could sit around a table and the meeting would be more of a "work session". She said the Council Committees, i.e., Community Planning and Transportation Committee (CPTC), Oversight Committee (OS), etc., are structured so that public comment(s) can be heard on agenda items being discussed and she felt the structure has worked very well. Mayor Rosenthal wanted to clarify that the limited input is the understanding that there will be an opportunity in a Study Session for citizens to *only* ask questions concerning items on the agenda and that the understanding is not about moving towards a miscellaneous discussion that is currently being conducted during City Council meetings.

Councilmember Quinn said during Study Sessions, Council sits around a table for a reason and he felt being in a face-to-face environment with fellow Councilmembers and Staff allows for a more informal situation and enhanced communication for all. Councilmember Lockett felt it may be difficult for some to hear and/or understand a citizen who speaks in the Study Session conference room and she would like to alleviate this issue. She felt Council owed citizens the respect to hear public comments if they attend a Study Session and suggested moving the Study Sessions to the Council Chambers on a trial basis to determine if the proposed scenario will work. Councilmember Dillingham asked what else could be done to augment sound in the Study Session conference room. Mayor Rosenthal said she has listened to audio tapes of past Study Sessions and said there is no problem in hearing Council and/or Staff who are sitting at the table; however, if Staff and/or individuals speak from the audience it is very important that they come to the table and speak. She felt it was important for Council, Staff, and individuals, whether sitting at the table or in the audience, to always speak very clearly into the microphone. Mayor Rosenthal felt very strongly that the informal working environment is extremely important and the Study Session conference room was designed for the purpose of having those types of informal working sessions.

Councilmember Kovach agreed with Councilmember Lockett's suggestion to move the Study Sessions to Council Chambers on a trial basis. Councilmember Gallagher agreed with Councilmember Kovach and said while the current conference room is adequate for Council Committees, the room becomes too crowded for Study Sessions. Mayor Rosenthal agreed that it may be appropriate to move Study Sessions that have an overflow of people, but only on a case by case basis. Councilmember Griffith said he liked the intimacy and informal working environment of the current conference room for Study Sessions but would support Council majority on this issue. Councilmember Ezzell agreed that the Study Sessions should be moved to Council Chambers on a trial basis and felt public input received earlier in the process could be very beneficial, thus improving the process.

Council discussed and decided to move Study Sessions to Council Chambers on a trial basis. Councilmember Dillingham requested parameters be set so it can be determined when/if the goal of moving the Study Sessions has been met. Councilmember Kovach felt the trial basis should be for a three (3) month period and a parameter could be whether or not a significant amount of public involvement is achieved and is favorable to the Study Session agenda item(s). He agreed with the Mayor and did not want the Study Sessions to become so formal in the discussion and/or work study process that a communication breakdown occurs.

Item 4, being:

DISCUSSION REGARDING THE FYE 2013 CAPITAL BUDGET AND PROPOSED PROJECTS FOR A FUTURE GENERAL OBLIGATION BOND ELECTION.

Ms. Linda Price, Revitalization Manager, said tonight's discussion will primarily be on Capital Fund and the focus will be FYE 2013 as opposed to looking at the out years. She said the financial assumption for FYE 2012 is a 4.64% increase and FYE 2013-2017 is a 4.25% increase. Ms. Price said funding sources for Capital Fund include Capital Sales Tax, General Obligation (GO) Bonds, Public Safety Sales Tax (PSST), Interest Income, Grants, and Private Resources. Due to limited funding, Staff recommends decreases in costs and postponements of the following projects originally scheduled for FYE 2013:

- Smalley Center or use PSST funding (\$1,056,950) - postponement
- Fire apparatus/equipment storage building (\$730,000) - postponement
- Bridge Replacement Franklin Road ½ mile west of 12<sup>th</sup> Avenue N.W. (\$250,000) - postponement
- Rock Creek Road and 12<sup>th</sup> Avenue N.E. signals – two (2) years (\$200,000) - postponement
- Classen Boulevard signals – two (2) years (\$200,000) - postponement
- Indian Hills Road signals - one (1) year (\$200,000) - postponement
- Creston Way drainage improvements – two (2) years (\$15,000) - postponement
- Asphalt Pavement Maintenance Robinson Street between 24<sup>th</sup> Avenue N.E. and 60<sup>th</sup> Avenue N.E. (\$365,000) - postponement
- Asphalt Pavement Maintenance North Base Facility Paving (\$120,000) - postponement
- Split Audio/Visual for Chamber into two (2) years (\$350,000) -reduction
- Reduce Community/Neighborhood improvements (\$50,000) - postponement
- Delete funds for one (1) year for traffic calming (\$100,000), alley repair program (\$190,000), greenbelt acquisition (\$50,000), and concrete valley gutter (\$75,000)

Ms. Price highlighted project increases for projects currently included in the FYE 2013 Budget. Mayor Rosenthal asked the targeted transfer date for the Smalley Center and Ms. Price said it is June 30, 2012.

Proposed New Infrastructure Projects

- Transportation Master Plan (\$300,000)
- Building "C" Generator/UPS (\$200,000) – This will help with the computer system.
- Replacement of Reaves Park Softball Building (\$175,000)
- Downtown Parking Lot (\$100,000)
- Highway 9 utility relocation from 24<sup>th</sup> Avenue N.E. to 36<sup>th</sup> Avenue N.E. (\$43,710) – These are additional costs mandated due to State statute changes.
- Highway 9 utility relocation from 36<sup>th</sup> Avenue N.E. to 72<sup>nd</sup> Avenue N.E. (\$36,169) - These are additional costs mandated due to State statute changes.
- Replacement of Lightning Detection System at Griffin, Westwood, and Reaves Parks (\$73,000) – The current lightning detection system was installed in the 1960's and parts are obsolete. All of the outdoor sporting events are in these three (3) parks and the City wants to ensure citizen safety in those parks.
- Oklahoma Department of Transportation (ODOT) audit adjustments (\$100,000)
- Replacement of deficient natural gas line at Fleet Division (\$15,000) – The current gas line size and diameter is too small and replacement will sufficiently heat the facility.
- Traffic signalization of Tecumseh Road and 48<sup>th</sup> Avenue N.W. (\$20,000) – More traffic accidents occur at this location and it has been determined to be an important signalization to perform.
- Replacement of vent hood and fire suppression system for Westwood Grill (\$10,000) – The current vent hood and fire suppression does not meet code and the Fire Marshal has requested it be replaced.



Councilmember Kovach asked if Staff considered the request for signalization for the children crossing the street on Porter Avenue and Mr. O'Leary said that will be an agenda item on the next Community Planning and Transportation Committee (CPTC) for consideration. He said Staff will have several options that range from \$50,000 to \$2 million for the CPTC to think about, but the project is not part of the proposal.

Councilmember Kovach felt the City should participate in the west branch Norman Public Library (NPL) and asked if the funding would come out of the General Fund or the Capital Fund. Mr. Anthony Francisco, Finance Director, said it would come out of the General Fund. Mr. Steve Lewis, City Manager, said Staff recently met with Pioneer Library System (PLS) Staff and toured the former Borders building as well as the new library facility located in southwest Oklahoma City to do some comparisons. He said Staff just received PLS's proposal regarding the current lease and service agreements and Staff is in the process of examining the proposal. Mr. Lewis said if Council desires it can be included in the FYE 2013 budget. Mayor Rosenthal said a Council Conference has been scheduled in approximately two (2) weeks to further discuss PLS's proposal.

Councilmember Kovach asked Staff if lighting for Normandy Creek Park would be coming forward soon and Mr. Jud Foster, Director of Parks and Recreation, said Staff will be bringing forward an appropriation request from Room Tax Fund to address that project in the near future. Councilmember Kovach asked if additional work was being considered for Imhoff or Merkle Creeks and Mr. O'Leary said those tend to be \$80,000 to \$100,000 neighborhood projects. Mr. O'Leary said Staff continues to work with the older neighborhoods where there is a tendency to have smaller issues with more immediate solutions and those projects include Merkle Creek as well as the Wildwood Drive area. Councilmember Kovach asked if a detention pond for Andrews Park is envisioned in the Storm Water Master Plan (SWMP) to help alleviate some of the flooding issues in Imhoff Creek and Mr. O'Leary said from his recollection a large detention basin concept for Andrews Park was in the \$4 million range. Councilmember Kovach felt the City needed to start budgeting improvements for Imhoff Creek and Mayor Rosenthal did not disagree but felt a package for a storm water utility would better address the larger issues instead of nibbling on the issues little by little.

Councilmember Kovach said he did not want to move forward with a Downtown Parking Lot until consensus among the downtown businesses is reached and requested a concrete plan for how the Downtown Parking Lot will properly be utilized. Councilmember Dillingham said the Downtowners Association and area merchants have issues that will need to be addressed before the Downtown Parking Lot can be included in the proposed budget and requested the Downtown Parking Lot be discussed at the March 28, 2012, CPTC meeting. Mr. Stephen Koranda, representing the Downtowners Association, said a meeting was scheduled to discuss issues tomorrow night, February 29, 2012, and felt a consensus would come to fruition. Mayor Rosenthal said a consensus was determined that the parking lot would not be used as a free all day parking facility but that instead that it must meet the needs of the retailers and not just citizens who worked in the downtown area. Councilmember Ezzell asked if Staff has looked at cost to hard surface the vacant lot on south side of Gray Street and Councilmember Dillingham asked Staff to bring an estimate to the March CPTC meeting.

Councilmember Gallagher asked about a Colonial Estates drainage way project. He also asked if a lighted crosswalk on the west side of the library could be considered.

#### Proposed G.O. Bond Funding Option

Ms. Price said Staff discussed the option of funding some specific projects with GO Bonds because it would not only allow the City to complete them in a more timely manner, but would also save and free up the budget so that more projects could be implemented. She said the G.O. Bond projects would be supplemented with federal transportation funds, developer fees, and recoupment fees in excess of 50% Project costs total \$71,638,958 with the City's share at \$33,358,892, and if passed would free up \$1,299,500 in FYE 2013 to be used for other capital projects. The potential GO Bond projects include:

- 24<sup>th</sup> Avenue east from Lindsey Street to Robinson Street
- 36<sup>th</sup> Avenue N.W. from Tecumseh Road to Indian Hills Road
- Cedar Lane from 12<sup>th</sup> Avenue S.E. — ½ mile east of 24<sup>th</sup> Avenue S.E.
- 12<sup>th</sup> Avenue S.E. from Cedar Lane to Highway 9

- Lindsey Street from 24<sup>th</sup> Avenue S.W. to Berry Road
- Franklin Bridge – ½ mile west of 12<sup>th</sup> Avenue N.W.
- Main Street Bridge – ½ mile west of 36<sup>th</sup> Avenue N.W.
- Alameda Street Safety Project

Councilmember Kovach asked if these projects included the savings on the sidewalk projects and Ms. Price said the project cost(s) included all costs associated with the project, therefore if the sidewalk was a part of the project then it was included. Councilmember Kovach said there are current sidewalk project requests that are not associated with the roadway projects and asked if Staff had looked at those savings as well. Mr. O'Leary said Staff has not looked at those particular projects for possible correlation(s) resulting in possible savings, but will do so. He said if additional savings is found the estimated \$1.3 million that would be freed up in FYE 2013 would become greater.

Councilmember Gallagher asked if a sound wall along Royal Oaks Addition was included in the 24<sup>th</sup> Avenue East Project and Mr. O'Leary said Staff has not had any environmental evaluation discussions on the projects that would include sound walls.

Mayor Rosenthal said there has been a lot of discussion concerning potential GO Bond funding for major projects and felt Staff needed direction as to whether or not the proposed projects will or will not be pursued. Councilmember Kovach said he would support a GO Bond package because the public has given numerous indications that traffic is a main concern and all the proposed projects are important. He said not only do the proposed projects address traffic issues, but they also address storm water issues and felt it will be a great opportunity to correlate the traffic and storm water issues/projects to save the City money. Councilmember Dillingham agreed stating the proposed projects are city wide and have identified some of the most difficult traffic issues in the City that can be combined with storm water issues to maximize the savings. Mayor Rosenthal felt it was important to begin the educational process about what the proposed projects would entail.

Ms. Price said Staff also looked at facility maintenance projects due to Council's request several years ago after they recognized more effort was needed in maintaining the City's current/existing facilities. She said resources were set aside so that maintenance and/or repairs could be made on a regular basis and four areas were primarily identified: roofs, lighting replacement, HVAC projects, and hot water heater replacement. Ms. Price said to date the City has replaced 25 roofs and completed four (4) roof repairs totaling \$2.2 million; 15 facilities have had lighting replaced totaling \$180,634; HVAC projects have been completed in seven (7) facilities totaling \$1.8 million; and to date 39 hot water heaters have been replaced by Facility Maintenance Staff totaling \$31,875.

Staff has also discussed the option of using PSST for some of the eligible requested projects:

- |   |  |
|---|--|
| • Smalley Center  | • Rehab of Fire Stations/Emergency Operations Center (EOC)             |
| • Fire apparatus/equipment storage building (\$750,000) | • Fire suppression emergency response units (\$500,000)                |
| • Police Facility Improvements                          | • Personal protective equipment for Fire (\$400,000)                   |
| • Self Contained Breathing Apparatus (SCBA) (\$300,000) | • Public Safety Software and other Communication needs (\$1.8 million) |

Councilmember Ezzell asked for clarification concerning the projects that could potentially be funded using PSST and asked if those projects were in the Capital Budget as unfunded and Ms. Price answered in the affirmative, stating not all requests were for FYE 2013. She said those requests were for anticipated rehabilitations at some of the fire stations and police facilities. Mr. Keith Humphrey, Police Chief, said currently there is \$400,000 to \$500,000 in grant funds allocated for the Computer Aided Dispatch (CAD) system and \$1.8 million will be needed to fund the remaining costs for the Public Safety Software and other Communication needs.

Councilmember Ezzell asked the size of the Smalley Center and Mr. Lewis said the site is 3.7 acres and is approximately 32,233 square feet. The original building was constructed in 1958 and was approximately 7,600 square feet. He said in 1991, approximately 24,000 square feet was constructed. Mayor Rosenthal asked Staff to explain the Smalley Center process imposed on the City by the Department of Defense which identified the facility to be used for public safety and Ms. Price said the City was notified in April 2006 that the Smalley Center would be closed. Ms. Price said a redevelopment authority of nine (9) members was appointed by the Mayor and a year was spent notifying the community requesting information and possible uses for the building as well as notifying the homeless agencies because of an Act was passed in 1994 mandating that any base realignment closure had to be offered to homeless agencies first. She said the homeless agencies turned down the facility and the City also had to obtain clearance from Housing and Urban Development (HUD) relating to all the homeless aspects. Ms. Price said the uses of the building are still very limited due to transferring of federal property and the City had three (3) applicants that were interested in the facility, receiving proposals from Middle Earth Day Care Center, Norman Public Schools to be used as an alternative school, and from the Police and Fire Departments to be used as an investigations, forensics lab, custody storage, and patrol facility. Ms. Price said the City applied to the Department of Justice which took approximately one (1) year and received approval in 2007 for the Smalley Center to be transferred to the City. She said since that time it has been a matter of getting the process completed; stating the paperwork has been completed, the required studies have been completed, and the City is waiting for the paperwork to be finalized by the Department of Justice. The anticipated transfer date is June 2012.

Councilmember Kovach asked when Fire Station No. 9 will be completed and Mr. Lewis said the bid should be awarded to the contractor next month; construction will take approximately one (1) year and be completed in the Spring 2013. Councilmember Kovach said he is not comfortable using PSST for proposed projects until Fire Station No. 9 is complete. Mayor Rosenthal felt now is the time to program the PSST funds because Council is aware when Fire Station No. 9 will be completed and the intention is not to surplus the entire amount. She felt Council should not wait a year because there are some critical needs from the proposed PSST list. She requested Staff provide a prioritization and programming of the PSST related projects, beginning this year to continue over the next few years, while retaining some reserve fund for salaries. Councilmember Ezzell and Kovach said they would also like to review a prioritization list and Councilmember Kovach stated the PSST funds could be programmed and prioritized but he did not feel the surplus should be spent before Fire Station No. 9 is completed. Councilmember Dillingham also felt it was important to prioritize the PSST projects and her main concern with the PSST surplus is first and foremost what projects the Fire and Police Chiefs feel are the most important so that public safety can be enhanced.

Mayor Rosenthal asked what the current fund balance was for PSST and Mr. Francisco said it is projected to be a little over \$8 million this year and is estimated to be \$16 million by September 30, 2016, which will end the seven (7) year PSST term unless citizens vote to keep collecting PSST. Councilmember Kovach asked how much reserve balance will be needed for fire and police salaries in the event citizens do not approve an extension. Mr. Francisco said \$2 million would need to be set aside for six (6) months salaries and/or \$4 million for one (1) year. Mr. Lewis said if a *new* PSST proposal was taken to the voters and if, for whatever reason, the voters did not approve the proposal, Staff discussed the opportunity of re-packaging a PSST proposal in order to bring back to the voters again. He felt a six (6) month reserve in the amount of \$2 million would be adequate for public safety salaries and Council agreed.

The meeting adjourned at 6:18 p.m.

ATTEST:

---

City Clerk

---

Mayor



CITY COUNCIL MINUTES  
NORMAN UTILITIES AUTHORITY MINUTES  
NORMAN MUNICIPAL AUTHORITY MINUTES  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

February 28, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 28th day of February, 2012, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Norman and Noble area Girl Scouts.

\* \* \* \* \*

Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF JANUARY 18, 2012  
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF  
FEBRUARY 2, 2012  
CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 7, 2012  
CITY COUNCIL MINUTES OF FEBRUARY 14, 2012  
NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 14, 2012  
NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 14, 2012  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF FEBRUARY 14, 2012  
CITY COUNCIL FINANCE COMMITTEE MINUTES OF FEBRUARY 15, 2012

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1112-60 dated February 14, 2011, by Brenda Hall, City Clerk
2. City Council Finance Committee minutes of January 18, 2012
3. City Council Business and Community Affairs Committee minutes of February 2, 2012
4. City Council Study Session minutes of February 7, 2012
5. City Council minutes of February 14, 2012
6. Norman Utilities Authority minutes of February 14, 2012
7. Norman Municipal Authority minutes of February 14, 2012
8. Norman Tax Increment Finance Authority minutes of February 14, 2012

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

\* \* \* \* \*

Item 4, being:

**PROCLAMATION NO. P-1112-12:** A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, MARCH 12, 2012, AS GIRL SCOUT DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-12 proclaiming Monday, March 12, 2012, as Girl Scout Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-P-1112-12 dated February 17, 2012, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-12

Participants in discussion

1. Ms. Mercedes Harris, Girl Scout Ambassador, along with several representatives from Girl Scout and Brownie Troops, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-12 proclaiming Monday, March 12, 2012, as Girl Scout Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-12 proclaiming Monday, March 12, 2012, as Girl Scout Day in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 5, being:

**CONSENT DOCKET**

Councilmember Kovach moved that Item 6 through Item 23 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Dillingham; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 23, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Item 6 through Item 23 were placed on the consent docket by unanimous vote.

\* \* \* \* \*

Item 6, being:

**CONSIDERATION OF ORDINANCE NO. O-1112-21 UPON FIRST READING BY TITLE:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A BAR, LOUNGE, OR TAVERN WITH LIVE ENTERTAINMENT IN PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT; LYING WITHIN LOTS 1 AND 2, BLOCK 23, ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (300 EAST MAIN STREET)

Councilmember Kovach moved that Ordinance No. O-1112-21 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;



Item 6, continued:

Items submitted for the record

1. Text File No. O-1112-21 dated January 30, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-21
3. Location map
4. Staff Report dated February 9, 2012, recommending approval
5. Predevelopment summary Case No. PD 11-34 dated December 15, 2011, for the Palace, L.L.C., for property generally located at the southeast corner of Main Street and Crawford Avenue
6. Pertinent excerpts from Planning Commission minutes of February 9, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-21 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-21 was Introduced, read, and adopted upon First Reading by title.

\* \* \* \* \*

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1112-22 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE ALLEY RIGHT-OF-WAY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, CLASSEN/MILLER ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (325 EAST KEITH STREET)

Councilmember Kovach moved that Ordinance No. O-1112-22 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-22 dated January 30, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-22
3. Location map
4. Memorandum dated January 5, 2012, from Brenda Hall, City Clerk, to Doug Koscinski, Current Planning Manager; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; and Ken Danner, Subdivision Manager
5. Letter of request dated January 5, 2012, from R. Blaine Nice, Attorney-Agent, Fellers, Snider, Blankenship, Bailey and Tippens, to Ms. Brenda Hall, City Clerk
6. Radius map
7. Staff Report dated February 9, 2012, recommending approval
8. Letter dated February 3, 2012, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Services, Ken Danner, Subdivision Manager
9. Email dated February 1, 2012, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Subdivision Manager
10. Email dated February 2, 2012, from Terri L. Hayes, AT&T, to Drew Norlin, Subdivision Development Coordinator, to Ken Danner, Subdivision Manager
11. Pertinent excerpts from Planning Commission minutes of February 9, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-22 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-22 was Introduced, read, and adopted upon First Reading by title.

\* \* \* \* \*

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1112-23 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

Councilmember Kovach moved that Ordinance No. O-1112-23 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-23 dated January 30, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-23 with Fountain View North Addition Planned Unit Development (PUD) Narrative submitted January 9, 2012, and revised January 25, 2012, by Sassan K. Moghadam, Developer, containing Exhibit A, Proposed Preliminary Plat; Exhibit B, Site Development Plan; and Exhibit C, Proposed Open Space Diagram
3. Location map
4. Staff Report dated February 9, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of February 9, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-23 upon First Reading by title, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-1112-23 was Introduced, read, and adopted upon First Reading by title.

\* \* \* \* \*

Item 9, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

TERM: 02-28-12 TO 02-13-13: DAVID HUDDLESTON, 771 NEBRASKA STREET

NORMAN HOUSING AUTHORITY

TERM: 11-21-12 TO 11-21-15: MIKE MCDANEL, 2620 ACACIA COURT

TERM: 11-21-12 TO 11-21-15: JEFF CUMMINS, 4401 BERRY FARM ROAD

PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 02-10-12 TO 02-10-15: MARY SUE SCHNELL, 4106 COVENTRY LANE (WARD 3)

TERM: 02-10-12 TO 02-10-15: DAVID WILSON, 408 EGRET LANE (WARD 8)

TERM: 02-10-12 TO 02-10-15: DON HOLYFIELD, 3406 HILLVIEW DRIVE (AT LARGE)

ANIMAL SHELTER OVERSIGHT COMMITTEE

JENNIFER KIDNEY, 1232 WINDSOR WAY, CITIZEN

Councilmember Kovach moved that the appointments be confirmed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. AP-1112-14 dated February 21, 2012

Item 9, continued:

and the question being upon confirming the appointments, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzeil, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appointments were confirmed.

\* \* \* \* \*

Item 10, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2012, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. RPT-1112-30 dated February 13, 2012, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report of January 31, 2012

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzeil, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 11, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JANUARY, 2012, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. RPT-1112-29 dated February 13, 2012, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of January, 2012
3. City of Norman Department of Finance, Monthly Report, January, 2012

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance
2. Mr. Jeff Bryant, City Attorney

and the question being upon acknowledging receipt of the reports and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzeil, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 12, being:

**SUBMISSION OF THE CITIZEN'S PUBLIC SAFETY OVERSIGHT COMMITTEE ANNUAL REPORT.**

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

**Items submitted for the record**

1. Text File No. RPT-1112-28 dated February 13, 2012, by Carol Coles, Administrative Assistant
2. City of Norman Citizen's Public Safety Oversight Committee Report for 2011

**Participants in discussion**

1. Mr. Keith Humphrey, Police Chief
2. Mr. David Wilson, 408 Egret Lane
3. Mr. Bobby Stevens, Post Office Box 6226, asked questions

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

**YEAS:**

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

**NAYES:**

None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 13, being:

**CONSIDERATION OF BID NO. 1112-29, CONTRACT NO. K-1112-84 WITH SILVER STAR CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,425,555.70; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$82,560; PERFORMANCE BOND NO. B-1112-17; STATUTORY BOND NO. B-1112-18; MAINTENANCE BOND NO. MB-1112-22; AND RESOLUTION NO. R-1112-28 FOR THE 2012 URBAN ASPHALT PAVEMENT REHABILITATION BOND PROJECT.**

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$1,425,555.70 be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-84, Change Order No. One increasing the contract amount by \$82,560, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No. R-1112-28 be adopted, which motion was duly seconded by Councilmember Dillingham;

**Items submitted for the record**

1. Text File No. K-1112-84 dated January 30, 2012, by Greg Hall, Street Superintendent
2. Tabulation of bids dated January 19, 2012, for Urban Asphalt Pavement Rehabilitation, FYE 2012 Locations
3. List of locations
4. Location map
5. Contract No. K-1112-84
6. Change Order No. One to Contract No. K-1112-84
7. Performance Bond No. B-1112-17
8. Statutory Bond No. B-1112-18
9. Maintenance Bond No. MB-1112-22
10. Resolution No. R-1112-28
11. Purchase Requisition No. 0000196849 dated January 27, 2012, in the amount of \$1,508,815.70 to Silver Star Construction Company, Inc.

**Participants in discussion**

1. Mr. Shawn O'Leary, Director of Public Works

Item 13, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, and adoption, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$1,425,555.70 was awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-84, Change Order No. One increasing the contract amount by \$82,560, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order was authorized; the filing of the bonds was directed; and Resolution No. R-1112-28 was adopted.

\* \* \* \* \*

Item 14, being:

CONSIDERATION OF BID NO. 1112-30, CONTRACT NO. K-1112-85 WITH CENTRAL CONTRACTING SERVICES, INC. IN THE AMOUNT OF \$790,420; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$85,307; PERFORMANCE BOND NO. B-1112-19; STATUTORY BOND NO. B-1112-20, MAINTENANCE BOND NO. MB-1112-23, AND RESOLUTION NO. R-1112-54 FOR THE 2012 URBAN CONCRETE REHABILITATION BOND PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$790,420 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-85, Change Order No. One increasing the contract amount by \$85,307, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No. R-1112-54 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-85 dated January 27, 2012, by Greg Hall, Street Superintendent
2. Tabulation of bids dated January 19, 2012, for Urban Concrete Pavement Rehabilitation, FYE 2012 Locations
3. List of locations
4. Location map
5. Contract No. K-1112-85
6. Change Order No. One to Contract No. K-1112-85
7. Performance Bond No. B-1112-19
8. Statutory Bond No. B-1112-20
9. Maintenance Bond No. MB-1112-23
10. Resolution No. R-1112-54
11. Purchase Requisition No. 0000196844 dated January 27, 2012, in the amount of \$875,727 to Central Contracting Services, Inc.

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, and adoption, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$790,420 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-85, Change Order No. One increasing the contract amount by \$85,307, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order was authorized; the filing of the bonds was directed; and Resolution No. R-1112-54 was adopted.

\* \* \* \* \*



Item 15, being:

CONSIDERATION OF A FINAL PLAT FOR LAS COLINAS ADDITION, SECTION 1, (FORMERLY KNOWN AS FOUNTAIN VIEW ADDITION, SECTION 2), ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS ADJACENT TO 48TH AVENUE N.W. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF TECUMSEH ROAD ON THE EAST SIDE OF 48TH AVENUE N.W.)

Councilmember Kovach moved that the final plat for Las Colinas Addition, Section 1, (formerly known as Fountain View Addition, Section 2) and the deferral of sidewalk and drainage improvements adjacent to 48th Avenue N.W., be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, acceptance of a cash surety securing the public improvements, and receipt of a Certificate of Deposit in the amount of \$78,520 for the deferral of street and drainage improvements adjacent to 48th Avenue N.W. within 10 days after approval and a traffic impact fee in the amount of \$1,707.58; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1011-6 dated August 11, 2010, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated September 9, 2010, recommending approval
4. Final plat, Fountain View Addition, Section 2
5. Final plat, Las Colinas Addition, Section 1
6. Preliminary plat Fountain View Addition
7. Letter dated January 18, 2012, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Ken Danner, Development Coordinator
8. Engineer's estimate dated January 24, 2012, from Ole M. Marcussen, P.E., SMC Consulting Engineers, P.C., to Mr. Todd McLellan, P.E., Development Engineer
9. Pertinent excerpts from Board of Parks Commissioners minutes of August 5, 2004
10. Pertinent excerpts from Planning Commission minutes of September 9, 2010

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon approving the final plat for Las Colinas Addition, Section 1, (formerly known as Fountain View Addition, Section 2) and the deferral of sidewalk and drainage improvements adjacent to 48th Avenue N.W. and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the final plat for Las Colinas Addition, Section 1, (formerly known as Fountain View Addition, Section 2) and the deferral of sidewalk and drainage improvements adjacent to 48th Avenue N.W., approved; the public dedications contained within the plat were accepted; the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, acceptance of a cash surety securing the public improvements, and receipt of a Certificate of Deposit in the amount of \$78,520 for the deferral of street and drainage improvements adjacent to 48th Avenue N.W. within 10 days after approval and a traffic impact fee in the amount of \$1,707.58; and the filing of the final plat was directed.

\* \* \* \* \*



Item 16, being:

CONSIDERATION OF A FINAL PLAT FOR LAS COLINAS ADDITION, SECTION 2, (FORMERLY KNOWN AS FOUNTAIN VIEW ADDITION, SECTION 3) AND THE ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF TECUMSEH ROAD AND ONE-THIRD MILE EAST OF 48TH AVENUE N.W.)

Councilmember Kovach moved that the final plat for Las Colinas Addition, Section 2, (formerly Fountain View Addition, Section 3) be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of \$981.58; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1011-7 dated August 11, 2010, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated September 9, 2010, recommending approval
4. Final plat, Fountain View Addition, Section 3
5. Final plat, Las Colinas Addition, Section 2
6. Preliminary plat Fountain View Addition
7. Letter dated January 18, 2012, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Ken Danner, Development Coordinator
8. Pertinent excerpts from Board of Parks Commissioners minutes of August 5, 2004
9. Pertinent excerpts from Planning Commission minutes of September 9, 2010

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon approving the final plat for Las Colinas Addition, Section 2, (formerly Fountain View Addition, Section 3) and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the final plat for Las Colinas Addition, Section 2, (formerly Fountain View Addition, Section 3) approved; the public dedications contained within the plat were accepted; the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of \$981.58; and the filing of the final plat was directed.

\* \* \* \* \*

Item 17, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-8 FOR LOT 21, BLOCK 2, COBBLESTONE WEST ADDITION, SECTION II. (4700 12TH AVENUE S.E.)

Councilmember Kovach moved that Consent to Encroachment No. EN-1112-8 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. EN-1112-8 dated February 13, 2012, by Leah Messner, Assistant City Attorney
2. Memorandum dated January 13, 2014, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
3. Letter of request dated January 6, 2012, from Gary L. Lam to Whom It May Concern with Exhibit A, location maps
4. Aerial Photograph
5. Consent to Encroachment
6. Memorandum dated February 13, 2012, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated February 14, 2012, from Ken Danner, Subdivision Development Manager, to Leah Messner, Assistant City Attorney
8. Letter dated January 19, 2012, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
9. Letter dated January 18, 2012, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator, and Norman Planning Commission
10. Email dated February 14, 2012, from Terri L. Hayes, Manager, AT&T, to Drew Norlin, Subdivision Development Coordinator
11. Letter dated January 18, 2012, from Randy Harrell, Team Leader, Oklahoma Natural Gas, a Division of ONEOK, to Mr. Ken Danner, Subdivision Manager, and Mr. Gary L. Lam
12. Letter dated February 14, 2012, from Jodie Finney, Right-of-Way, Cox Communications, to Gary L. Lam

and the question being upon approving Consent to Encroachment No. EN-1112-8 and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Consent to Encroachment No. EN-1112-8 approved; and the filing thereof with the Cleveland County Clerk was directed.

\* \* \* \* \*

Item 18, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0809-46: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ALLTEL COMMUNICATIONS, L.L.C., D/B/A VERIZON WIRELESS FOR THE LEASE OF A MONOPOLE TOWER SITE LOCATED AT THE STREET MAINTENANCE FACILITY AT 668 EAST LINDSEY STREET.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0809-46 with Alltel Communications d/b/a Verizon Wireless be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-0809-46, Amendment No. One, dated February 16, 2012, by Jennifer Gray, Telecommunications Administrator
2. Amendment No. One to Contract No. K-0809-46

Item 18, continued:

and the question being upon approving Amendment No. One to Contract No. K-0809-46 with Alltel Communications d/b/a Verizon Wireless and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
-------	--

NAYES:	None
--------	------

The Chairman declared the motion carried and Amendment No. One to Contract No. K-0809-46 with Alltel Communications d/b/a Verizon Wireless approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 19, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-48: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CIMARRON CONSTRUCTION COMPANY FOR THE FYE 2010 DRAINAGE PROJECTS DECREASING THE CONTRACT AMOUNT BY \$5,795.30 AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved Change Order No. One to Contract No. K-1112-48 with Cimarron Construction Company decreasing the contract amount by \$5,795.30 be approved, the execution thereof be authorized, the project be accepted, and final payment in the amount of \$72,908.59 be directed to Cimarron Construction Company, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-48, Change Order No. One, dated February 3, 2012, by Bob Hanger, Stormwater Engineer
2. Change Order No. One to Contract No. K-1112-48
3. Application and Certificate of Payment dated February 8, 2012, in the amount of \$72,908.59 from Cimarron Construction Company to City of Norman

and the question being upon approving Change Order No. One to Contract No. K-1112-48 with Cimarron Construction Company decreasing the contract amount by \$5,795.30 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
-------	--

NAYES:	None
--------	------

The Chairman declared the motion carried and Change Order No. One to Contract No. K-1112-48 with Cimarron Construction Company decreasing the contract amount by \$5,795.30 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$72,908.59 was directed to Cimarron Construction Company.

\* \* \* \* \*

Item 20, being:

CONTRACT NO. K-1112-101: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CHEMICAL RECLAMATION SERVICES, L.L.C., IN THE AMOUNT OF \$75,000 TO PROVIDE A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT TO BE HELD APRIL 14, 2012, AT THE LLOYD NOBLE CENTER PARKING LOT AND PERFORMANCE BOND B-1112-26.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1112-101 with Chemical Reclamation Services, L.L.C., in the amount of \$75,000 and Performance Bond No. B-1112-26 be approved, the execution thereof be authorized, and the filing of the performance bond be directed, which motion was duly seconded by Trustee Dillingham;

Items submitted for the record

1. Text File no. K-1112-101 dated February 7, 2012, by Debra Smith, Environmental Services Coordinator
2. Contract No. K-1112-101
3. Performance Bond No. B-1112-26
4. Purchase Requisition No. 0000197176 dated February 7, 2012, in the amount of \$75,000 to Chemical Reclamation Services, L.L.C.

and the question being upon approving Contract No. K-1112-101 with Chemical Reclamation Services, L.L.C., in the amount of \$75,000 and Performance Bond No. B-1112-26 and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Contract No. K-1112-101 with Chemical Reclamation Services, L.L.C., in the amount of \$75,000 and Performance Bond No. B-1112-26 approved; the execution thereof was authorized and the filing of the performance bond was directed

\*\*\*\*\*

Item 21, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$5,000 FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS TO BE USED BY THE NORMAN OFFICE OF EMERGENCY MANAGEMENT TO PROVIDE PUBLIC OUTREACH AND EDUCATION DURING THE ANNUAL MEDIEVAL FAIR BEING HELD MARCH 30 THROUGH APRIL 1, 2012, APPROVAL OF CONTRACT NO. K-1112-116, AND ADOPTION OF RESOLUTION NO. R-1112-115 APPROPRIATING FUNDS.

Councilmember Kovach moved that a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide outreach and education during the annual Medieval Fair being held March 30 through April 1, 2012, be accepted; Contract No. K-1112-116 be approved; execution of the contract be authorized; and Resolution No. R-1112-115 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-116 dated February 14, 2012, by James Fullingim, Fire Chief
2. Contract No. K-1112-116
3. Resolution No. R-1112-115

Item 21, continued:

and the question being upon accepting a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide outreach and education during the annual Medieval Fair being held March 30 through April 1, 2012, and upon the subsequent approval, authorization, and adoption, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide outreach and education during the annual Medieval Fair being held March 30 through April 1, 2012, accepted; Contract No. K-1112-116 was approved, the execution of the contract was authorized, and Resolution No. R-1112-115 was adopted.

\* \* \* \* \*

Item 22, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$55,596.58 REGARDING JACOB HUNT VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-01174A.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$55,596.58 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-61 dated February 15, 2012, by Jeanne Snider, Assistant City Attorney with Attachment 1, cost breakdown
2. Workers Compensation Court Case No. WCC-2011-01174A filed February 6, 2012
3. Purchase Requisition No. 0000197519 dated February 15, 2012, in the amount of \$30,874 to Jacob Hunt and Greg Barnard
4. Purchase Requisition No. 0000197520 dated February 15, 2012, in the amount of \$1,077 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000197521 dated February 15, 2012, in the amount of \$403.88 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000197522 dated February 15, 2012, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition No. 0000197523 dated February 15, 2012, in the amount of \$125.70 to Cleveland County Court Clerk

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized, and payment of claims in the amount of \$53,850 which will constitute judgment against the City of Norman was directed.

\* \* \* \* \*



Item 23, being:

**RESOLUTION NO. R-1112-114:** A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$6,575 FROM THE CAPITAL FUND BALANCE TO FULFILL THE REMAINDER OF THE DESIGN SERVICES PROVIDED BY GARVER, L.L.C. FOR TRAFFIC SIGNAL IMPROVEMENTS AT REAGAN ELEMENTARY SCHOOL LOCATED ON THE EAST SIDE OF 24TH AVENUE S.E., NORTH OF HIGHWAY 9.

Councilmember Kovach moved that Resolution No. R-1112-114 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-114 dated February 14, 2012, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1112-114
3. Letter dated February 9, 2012, from Dr. Roger Brown, Assistant Superintendent, Norman Public Schools, to Mr. Riesland
4. Work Order No. Four for Professional Engineering Services from Garver, L.L.C., with attachments, Garver Hourly Rate Schedule, Fee Summary, and Work Task Description

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon adopting Resolution No. R-1112-114, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Resolution No. R-1112-114 was adopted.

\* \* \* \* \*

Item 24, being:

**RESOLUTION NO. R-1112-112:** A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO MANAGE THE DOWNTOWN PARKING LOT LOCATED BETWEEN CRAWFORD AVENUE AND JONES STREET SOUTH OF GRAY STREET (121 NORTH PETERS AVENUE) BY MAKING AT LEAST SEVENTY-EIGHT (78) SPACES AVAILABLE FOR SPECIFIED TIME PERIODS FOR USE BY THE GENERAL PUBLIC THAT MIGHT BE PATRONIZING DOWNTOWN RETAIL BUSINESSES IN ACCORDANCE WITH A DEED RESTRICTION AGREED UPON WHEN THE CITY PURCHASED THE DOWNTOWN PARKING LOT PROPERTY, AND BY ENTERING INTO LEASE AGREEMENTS FOR UP TO TWENTY-SIX (26) SPACES WITH BUSINESSES OR INDIVIDUALS WHO DESIRE TO RESERVE A SPACE OR SPACES FOR EXTENDED TIME PERIODS.

Councilmember Dillingham moved that Resolution No. R-1112-112 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-112 dated February 16, 2012, by Shawn O'Leary, Director of Public Works
2. Resolution No. R-1112-112
3. Lease Agreement for Parking Spaces in Municipal Parking Lot
4. Lottery Policies and Procedures
5. Location map
6. Letter dated February 27, 2012, from Stephen Koranda, Norman Downtowners' Association Board Chair, to Mayor Cindy Rosenthal, Councilwoman Carol Dillingham, and City Manager Steve Lewis

Thereupon, Councilmember Dillingham moved that Resolution No. R-1112-112 be postponed until April 10, 2012; which motion was duly seconded by Councilmember Ezzell;

Participants in discussion

1. Mr. Rhett Jones, 211 East Main Street, made comments

Item 24, continued:

and the question being upon postponing Resolution No. R-1112-112 until April 10, 2012, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
-------	--

NAYES:	None
--------	------

The Mayor declared the motion carried and Resolution No. R-1112-112 was postponed until April 10, 2012.

\*\*\*\*\*

Item 25, being:

**RESOLUTION NO. R-1112-95:** A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1112-3**, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MIXED USE DESIGNATION (OFFICE AND/OR RESIDENTIAL USES) AND REMOVE THE SAME FROM THE OFFICE DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Councilmember Quinn moved that Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-95 dated December 19, 2012, by Doug Kosciński, Current Planning Manager
2. Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3
3. Location map
4. Staff Report dated January 12, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of January 12, 2012

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant
3. Mr. Rick McKinney, McKinney Partnerships, 3600 West Main Street, architect representing the applicant
4. Ms. Susan Connors, Director of Planning and Community Development
5. Mr. Shawn O'Leary, Director of Public Works
6. Mr. Zack Simmons, 1406 Amhurst Avenue, protestant
7. Mr. Dale Swaim, 1925 Oakcreek Drive, protestant
8. Mr. Allen Ahlert, Director of Manufacturing, Hitachi Computer Products, Inc., 1605 Sandpiper Lane, protestant
9. Mr. Mark Nanny, 1815 Lakehurst Drive, protestant
10. Mr. Howell Epperson, 2009 Oakmeadows Drive, protestant
11. Mr. Mark Campbell, 1320 Garfield Avenue, protestant
12. Ms. Joyce Collard, 1820 Oakhill Drive, protestant
13. Mr. James Mayer, 1812 Oakcreek Drive, protestant
14. Mr. Lance Steele, 2019 Allenhurst Street, protestant
15. Mr. Stephen Tyler Holman, 1020 South College Avenue, asked questions
16. Mr. Bobby Stevens, Post Office Box 6226, made comments
17. Ms. Nancy Stine, 1815 Oakcreek Drive, made comments
18. Mr. Keith Steincamp, 441 Waterfront Drive, proponent
19. Mr. Wayne Russell, Traffic Engineering Consultants, engineer representing the applicant

Item 25, continued:

and the question being upon adopting Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
-------	--

NAYES:	None
--------	------

The Mayor declared the motion carried and Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

\* \* \* \* \*

Item 26, being:

ORDINANCE NO. O-1112-20: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Ordinance No. O-1112-20 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 14, 2012, Councilmember Ezzell moved that Ordinance No. O-1112-20 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-20 dated December 19, 2012, by Doug Kosciński, Current Planning Manager
2. Ordinance No. O-1112-20 with Exhibit A, site plan, and Exhibit B, PUD Narrative dated December 12, 2011, and revised January 5, 2012, prepared by Sean Paul Rieger, the Rieger Law Group, with Exhibit A, Proposed Preliminary Plat' Exhibit B, Proposed Preliminary Site Development Plan; Exhibit C, Proposed Open Space Areas; and Exhibit D, Plan of uses in each area of the Site
3. Location map
4. Staff report dated January 12, 2012, recommending approval
5. Cross Section through North Property Line
6. Preliminary Site Development and Landscaping Plan
7. Existing Office Park Plan
8. Vicinity Plan
9. Protest area map with 53.1% within notification area
10. Letter of protest filed January 6, 2012, from Kimberly Baxter to City of Norman Planning Commission
11. Letter of protest filed January 6, 2012, from Bob and Debbie Rollins, Concerned Citizens and Property Owners, to Whom It May Concern
12. Letter of protest filed January 9, 2012, from Allen Ahlert, Director, Manufacturing Engineering, Hitachi Computer Products, Inc., to City Clerk, City of Norman
13. Letter of protest filed January 9, 2012, from Peter and Betty E. Douglas to Norman City Planning Commission
14. Letter of protest filed January 9, 2012, from Devin Grunder to Norman City Council
15. Petition of protest filed January 9, 2012, containing 65 signatures
16. Petition of protest filed January 9, 2012, containing 9 signatures
17. Letter of protest filed January 6, 2012, from Connie Armstrong to City of Norman Planning Commission
18. Letter of protest filed January 9, 2012, from James D. Mayer to City of Norman Planning Commission
19. Letter of protest filed January 9, 2012, from Lance Steele to City of Norman Planning Commission
20. Letter of protest filed January 9, 2012, from Tanya M. Szafranski to City of Norman Planning Commission
21. Letter of protest filed January 9, 2012, from April Minson to City of Norman Planning Commission

Item 26, continued:

Items submitted for the record, continued

22. Letter of protest filed January 9, 2012, from Joyce Collard to City of Norman Planning Commission
23. Letter of protest filed January 9, 2012, from Maria G. Alexander to City of Norman Planning Commission
24. Letter of protest filed January 9, 2012, from Dee Fisher to City of Norman Planning Commission
25. Letter of protest filed January 9, 2012, from William C. Smith to City of Norman Planning Commission
26. Letter of protest filed January 9, 2012, from Susan Craig to City of Norman Planning Commission
27. Letter of protest filed January 9, 2012, from Nancy Hogue to City of Norman Planning Commission
28. Letter of protest received January 9, 2012, from Helen A. Patrick to City of Norman Planning Commission
29. Letter of protest filed January 9, 2012, from Allison H. Patrick to City of Norman Planning Commission
30. Letter of protest filed January 9, 2012, from Steven Collins to City of Norman Planning Commission
31. Letter of protest filed January 9, 2012, from Kristi S. Wright to City of Norman Planning Commission
32. Letter of protest filed February 7, 2012, from Paula Pasterick
33. Letter of protest filed February 14, 2012, from Renee S. Markwell
34. Pertinent excerpts from Planning Commission minutes of January 12, 2012
35. Petition of protest filed February 28, 2012, containing 37 signatures
36. Letter of protest filed February 28, 2012, from Mark and Chris Nanny to City of Norman Planning Commission
37. Letter of protest filed February 28, 2012, from Christal Jones to City of Norman Planning Commission
38. Letter of protest filed February 28, 2012, from Matthew Jones to City of Norman Planning Commission

Thereupon, Councilmember Kovach moved that the PUD Narrative for Ordinance No. O-1112-20 be amended to read as follows:

#### **I. INTRODUCTION**

This VILLAGE AT OAKHURST ADDITION project (the "Addition") is proposed as a Planned Unit Development of roughly ~~19.44~~ 16.46 acres, in Ward 1 of the City of Norman (see attached **EXHIBIT A**). The Addition lies on the north side of Imhoff Road, between Classen Boulevard and 24th Avenue S.E. The Addition will provide the development, of different uses, including medium density residential, office, and churches.

\* \* \*

#### **III. DEVELOPMENT PLAN AND DESIGN CONCEPT**

\* \* \*

##### **A. Medium Family Residential District**

This area of the PUD is planned on the Preliminary Site Development Plan, **EXHIBIT B** hereto, and is shown as Area One on the attached **EXHIBIT D** hereto.

##### **1. Uses: Lot Design**

\* \* \*

- c. Density: The residential portion of the Addition may be developed to a density of up to nine ~~anywhere between a range of 12 to 20 units per acre considering the full 16.46 acres of the site.~~ The preliminary plans include approximately 148 residential units, ~~but may be adjusted upward or downward within the allowed density so long as all other regulations are met (such as, but not limited to, height, building setbacks, coverage, etc.)~~

\* \* \*

Item 26, continued:

- g. All minimum building setbacks shall be maintained as per the City Council approved Preliminary Site Development and Landscaping Plan, which is attached hereto as **EXHIBIT B**.

\* \* \*

#### **C. Miscellaneous Development Criteria**

##### **1. Site Plan and Final Plat**

The preliminary site development plans for the office and medium density residential areas currently submitted with this PUD shall be incorporated herein as an integral part of the PUD and the development of the property shall be substantially constructed as presented thereon, although the PUD may be further refined once final site development plans are submitted with final plat. As the PUD process is intended to foster innovative and creative design, the applicant may exercise flexibility in the design and layout of the site plans within the Addition.

\* \* \*

##### **4. Fencing; buffering**

\* \* \*

The development of the PUD shall provide buffering along the northern edge as it abuts the Oakhurst residential addition. Such Buffer shall be a minimum of ~~twenty-five (25)~~ thirty-five (35) feet in width and shall include landscaped berms with trees and hedges located to buffer headlights and other intrusions from the parking areas of the residential community.

\* \* \*

which motion was seconded by Councilmember Dillingham;

##### **Participants in discussion**

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Jeff Bryant, City Attorney
3. Ms. Susan Connors, Director of Planning and Community Development
4. Mr. Keith Humphrey, Police Chief

and the question being upon amending the PUD Narrative for Ordinance No. O-1112-20, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Griffith, Kovach, Lockett, Quinn, Spaulding
-------	--

NAYES:	Councilmember Gallagher and Mayor Rosenthal
--------	--

The Mayor declared the motion carried and the PUD Narrative for Ordinance No. O-1112-20 was amended, as stated above.

and the question being upon adopting Ordinance No. O-1112-20, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Griffith, Kovach, Lockett, Quinn, and Spaulding
-------	--

NAYES:	Councilmember Gallagher and Mayor Rosenthal
--------	--

The Mayor declared the motion carried and Ordinance No. O-1112-20, as amended, was adopted upon Second Reading section by section.



Item 26, continued:

Thereupon, Councilmember Ezzell moved that Ordinance O-1112-20, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-1112-20, as amended, upon Final Reading as a whole, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Griffith, Kovach, Lockett, Quinn,  
Spaulding, Mayor Rosenthal

NAYES:

Councilmember Gallagher

The Mayor declared the motion carried and Ordinance No. O-1112-20, as amended, was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 27, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR THE VILLAGE AT OAKHURST, A PLANNED UNIT DEVELOPMENT. (LOCATED AT THE NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Councilmember Ezzell moved that the preliminary plat for The Village at Oakhurst Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. PP-1112-8 dated December 19, 2011, by Ken Danner, Subdivision Manager with Exhibit A, Traffic Table
2. Location map
3. Staff Report dated January 12, 2012, recommending approval
4. Preliminary plat
5. Preliminary site plan
6. Development Review Form, Traffic Impacts, dated January 4, 2012, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Predevelopment Summary Case No. PD 11-25 dated October 27, 2011, for RCB Bank for property located at the northwest corner of Imhoff Road and Oakhurst Avenue
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement for Case No. 11-22 dated October 10, 2011
10. Pertinent excerpts from Planning Commission minutes of January 12, 2012

and the question being upon approving the preliminary plat for for The Village at Oakhurst Addition, a Planned Unit Development, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Griffith, Kovach, Lockett, Quinn,  
Spaulding, Mayor Rosenthal

NAYES:

Councilmember Gallagher

The Mayor declared the motion carried and the preliminary plat for The Village at Oakhurst Addition, a Planned Unit Development, was approved.

\* \* \* \* \*

Item 28, being:

**ORDINANCE NO. O-1112-24:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTIONS 10-701, 10-702, AND 10-703 TO THE CODE OF THE CITY OF NORMAN TO DEFINE GRAY WATER AND ALLOW FOR ITS USE IN ACCORDANCE WITH SPECIFIC PROVISIONS WHILE PROVIDING A PENALTY SHOULD IT BE USED NOT IN ACCORDANCE WITH SAID PROVISIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-24 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 14, 2012, Councilmember Dillingham moved that Ordinance No. O-1112-24 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-24 dated January 26, 2012, by Ken Komiske, Director of Utilities
2. Ordinance No. O-1112-24
3. Legislatively notated copy of Ordinance No. O-1112-24
4. City Council Study Session minutes of January 3, 2012
5. Pertinent excerpts from City Council Conference minutes of January 24, 2012

Participants in discussion

1. Mr. Mark Daniels, Utilities Engineer
2. Mr. Jeff Bryant, City Attorney
3. Mr. Mark Campbell, 1320 Garfield Avenue, asked questions

and the question being upon adopting Ordinance No. O-1112-24 upon Second Reading section by section, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-1112-24 was adopted upon Second Reading section by section.

Thereupon, Councilmember Griffith moved that Ordinance No. O-1112-24 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1112-24 upon Final Reading as a whole, the roll was called with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-1112-24 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 29, being:

**ORDINANCE NO. O-1112-29:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 13-101, AND ARTICLE VIII, SECTION 13-2802, OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING CONDITIONS FOR LICENSE/PERMIT ISSUANCE AND PROVISIONS FOR HOURS OF OPERATION FOR DOOR-TO-DOOR PEDDLERS AND SOLICITORS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-29 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 14, 2012, Councilmember Dillingham moved that Ordinance No. O-1112-29 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-29 dated January 31, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1112-29
3. Legislatively notated copy of Ordinance No. O-1112-29
4. City Council Oversight Committee minutes of October 5, 2012

Participants in discussion

1. Ms. Brenda Hall, City Clerk
2. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Spaulding moved that Ordinance No. O-1112-29 be postponed, which motion was duly seconded by Councilmember Gallagher;

Participants in discussion

1. Ms. Mr. Jim Stanley, 3922 Pine Tree Circle
2. Ms. Brenda Hall, City Clerk

and the question being upon postponing Ordinance No. O-1112-29, a vote was taken with the following result:

YEAS: Councilmembers Gallagher, Kovach,  
Lockett and Spaulding

NAYES: Councilmembers Dillingham, Ezzell,  
Griffith, Quinn, Mayor Rosenthal

The Mayor declared the motion failed and Ordinance No. O-1112-29 was not postponed.

and the question being upon adopting Ordinance No. O-1112-29 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-29 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-29 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1112-29 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-29 was adopted upon Final Reading as a whole.

\* \* \* \* \*

## MISCELLANEOUS DISCUSSION

House Rules and Decorum. Mayor Rosenthal said there was a large audience this evening and many may or may not be familiar with the house rules regarding Miscellaneous Discussion. She read "the house rules of this body emphasize the values of respect, honesty, and courtesy in the conduct of the public's business. We certainly respect and support everyone's right to free speech and the right to be heard. We do ask, however, that everyone, the public and the City Council, honor our rules of conduct which were displayed at the beginning of the meeting on the screen behind us. She said it is her responsibility, as Mayor and Chair of the assembly, to enforce the rules and to ensure adherence to decorum and civility. She specifically asked everyone to refrain from personal attacks of any sort, whether directed at members of the public, the City Staff, or members of the Council. She said the house rules note "the business of the City is about issues, it is not personal." Council also asked that there not be outbursts or disruption when others are speaking to the Council. She said if anyone does not conform or abide by the house rules and honor the spirit and purpose of this agenda item, she will ask them to do so and if a person persists, she will ask them to take their seat and forfeit any remaining time that they might have on the clock. She said Council values the input of our citizens and welcome them to speak. She opened the podium for Miscellaneous Discussion.

Mr. Joe Love, 2116 Natchez, said he was watching the last City Council meeting when he heard a local citizen's call to the community to stand up against the spreading of intolerance and those words inspired him to speak now. He said the citizen listed the differing opinions between himself and unnamed members of the City Council, but seemed to take exception to those differences rather than celebrate them. Mr. Love said he listened in dismay as one of the citizens incited others to chastise and take action against the diverse City Council and remove from office those Councilmembers whose opinion differed from his own. He said the citizen concluded by saying that certain opinions represented by City Council were "useless, short minded, and embarrassing." Mr. Love said the Council Chamber was created to be a place where diverse opinions were represented and voted upon and each Councilmember was elected by their constituents to represent issues, values, and opinions important to the community they represent. He said, as a whole, the Council is succeeding in making that a reality and he would like to commend the City Council for regularly representing the various opinions and value systems in Norman. He implored Council to continue representing their constituents regardless of how embarrassing some citizens think they are.

Mr. Patrick O'Hearn, 1322 Columbia Circle, said he has been following the situation and has concerns as to the level headedness of everyone involved. He said he does not believe removing someone from office is a solution and the view points expressed do not represent the totality of the character of the people involved. He said he would like to see movement towards shedding light on why there are differing viewpoints and when they conflict, where we as a community plan to advance and move toward socially, economically, and ideologically. He said he would like a written statement by Council that would help him explain to colleagues from out of state, the viewpoints of Council. He said while personal attacks are ultimately destructive, they can spark discussion and hopes Council can bring those discussions to a point where the community can be proud to be Norman citizens.

Councilmember Kovach said City Council adopted a resolution for "Building an Inclusive Community." He said it is important for everyone to remember to respect opinions they agree with as well as those they disagree with. He encouraged using kind words and said Councilmembers have always been able to disagree with one another respectfully. He said everyone is entitled to their point of view and as long as everyone remains respectful, issues can move forward. He said, in his opinion, a diverse community means respecting one another.

Councilmember Dillingham said Norman does want to be an inclusive community. She said she knows for certain that all citizens of Norman want to live in a community where they feel safe and can prosper. They want strong neighborhoods where they can raise their children, nice parks, controlled traffic, and all services available. She said citizens want to work together to achieve those goals, but have to work hardest at finding that commonality in order to build a stronger community.

Mayor Rosenthal said the Inclusive Community Initiative is something the City is committed to and asked the Human Rights Commission to renew that dialogue to include participation from the public that wish to build a better Norman.

\*

Highway 9. Mr. Bobby Stevens, 3801 108th Avenue S.E., said there had been a recent fatality on Highway 9 and felt increased police patrolling is needed. He said Highway 9 has no turn lanes, the speed limit is 65 miles per hour, and more cars travel Highway 9 than Main Street. He said there have been numerous fatalities at Highway 9 and 120th Avenue where Thunderbird Lake property begins. He said when there is a wreck between 84th Avenue and 156th Avenue, there is no way to detour because the streets do not connect so that a person can easily get back onto Highway 9. He suggested placing directional signage to help citizens navigate around the lake area. He said future Highway 9 widening plans will include bicycle routes making the highway even more dangerous in his opinion. He said there will also be an 80,000 foot health facility across from the Thunderbird Casino, which will create more traffic. He asked Council to urge the Oklahoma Department of Transportation (ODOT) to review traffic problems on Highway 9 to make it safer.

## Miscellaneous Discussion, continued:

Councilmember Spaulding asked when the Highway 9 Widening Project was scheduled to begin and the project parameters.

Mr. Shawn O'Leary, Director of Public Works, said the project will be a two phase project. The first phase is 24th Avenue east to 48th Avenue east to begin in late 2013 or early 2014. The second phase is 48th Avenue east to 72nd Avenue east to begin approximately 18 months later. He said there was an extensive analysis of Highway 9 about ten years ago in response to traffic and safety concerns. He said there was a long range plan for Highway 9 going all the way to the City of Tecumseh and ODOT had committed to make improvements beyond 72nd Avenue; however, there is currently no funding for that portion. He said the City always lobbies for that plan to be implemented and will continue to do so.

\*

Ordinance Amendments. Ms. Ann Gallagher, 1522 East Boyd, said when Council makes amendments to ordinances, they have an advantage over the audience in knowing what sections and articles they are making amendments to, but the audience does not have a clue what is going on. She said making clearer explanations to the public would be very much appreciated.

\*

Shop Norman. Councilmember Quinn asked everyone to shop Norman.

\*

Recycling. Councilmember Kovach said as more apartment complex developments come forward to Council, there needs to be more opportunities for providing recycling. He said he would like for the City to work with the development community on how to incorporate a recycle substation into the plans.

\*

Girl Scouts. Councilmember Dillingham thanked the Girl Scouts for the cookies given to Council.

\*

Certified Healthy Communities Initiative. Mayor Rosenthal said the City of Norman will receive an award of merit from the Certified Healthy Communities Initiative, which is a statewide initiative to build healthier communities. She said the City of Norman will receive the Award of Excellence and the Norman community is one of eight communities across the State to receive the merit award. The City will also receive a \$50,000 grant from the tobacco settlement fund that will be used to create a walking trail at Eastwood Park, which is adjacent to the new Ronald Reagan Elementary School. She thanked the Parks Department and Norman Regional Hospital for working on the application.

\*\*\*\*\*

## ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the meeting was adjourned at 11:15 p.m.

ATTEST:

---

City Clerk

---

Mayor



CITY COUNCIL  
BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES

March 1, 2012

The City Council Business and Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 9:00 a.m. in the Conference Room on the 1st day of March 2012, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Lockett, Quinn, Spaulding, and Chairman Ezzell
ABSENT:	None
OTHERS PRESENT:	Ms. Jacy Crosbie, Ward Six Council Candidate Councilmember Roger Gallagher, Ward One Councilmember Tom Kovach, Ward Two Mr. Jesse Bryant, University of Oklahoma (OU) Student Mr. Hunder Healy, University of Oklahoma (OU) Student Mr. Bill Hickman, Attorney Mr. Tony Tyler, Tyler Outdoor Signs Mr. Don Wood, Norman Economic Development Coalition Executive Director Mr. John Woods, Chamber of Commerce Director
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney Ms. Susan Connors, Director of Planning and Community Development Mr. Steve Lewis, City Manager Mr. Doug Koscinski, Current Planning Manager Mr. Shawn O'Leary, Director of Public Works Ms. Kathryn Walker, Assistant City Attorney Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

CONTINUED DISCUSSION REGARDING THE CREATION OF A PUBLIC TRUST AUTHORITY TO FACILITATE ECONOMIC DEVELOPMENT AND OTHER ECONOMIC DEVELOPMENT TOOLS.

Chairman Ezzell said the Business and Community Affairs Committee (BCA) has been working on a proposed Public Trust Authority (PTA) to facilitate economic development and other economic development tools for several months. He said discussions have come down to two outstanding issues consisting of City Council representation on the PTA Board and eminent domain. He said his proposed solutions are to appoint two ex-officio Councilmembers (non-voting members) to the current proposed five member trust and adding language that all eminent domain issues must be approved by a majority vote of the City Council, which would be five votes to pass. He felt it would be unusual for a Councilmember to vote twice, once as a member of the Board of Trustees and again as a member of City Council and that is why he is suggesting ex-officio members. He said on the eminent domain issue he added language in Article VIII. Powers and Duties of Trustees.

Councilmember Kovach said the State wants cities to file their trust audit's with the State Auditor's Office to be placed on the State's website and asked if the City has done that with their other trusts. Mr. Jeff Bryant, City Attorney, said it was a suggestion from the State that public trust's file their final audits with the State Auditor's Office and he would have to check with the Finance Department to see if that has been done, but did not feel that would be a problem. Councilmember Kovach said he would like to see the City of Norman begin that procedure.

Councilmember Lockett said she did not like the idea of giving so much authority to any group and felt there were very few limitations in the trust document. She said the language from Chairman Ezzell regarding eminent domain helps, but felt Council had very little control. Chairman Ezzell said any action the PTA takes must be approved by City Council and the PTA cannot independently authorize debt. He said the Council is simply creating a body that will be specialized in its mission, but cannot act without Council approval. He said if the City of Norman wants to be competitive in the world of business development, this is a step that must be taken.

Councilmember Lockett said she was worried about a recent eminent domain case, KELO versus the City of New London, Connecticut, that sent a red flag to cities and she did not know if language was included in the trust that would prevent the City of Norman from getting into a similar situation. Mr. Bryant said KELO was a case in which the Supreme Court approved the use of eminent domain and, in that circumstance, was used strictly for economic development. He said there was a some nationwide backlash with the belief that the ruling was overreaching, but the Supreme Court ruled it was within the law. He said part of the idea of the language proposed by Chairman Ezzell was to give elected officials the final say on whether or not to use eminent domain for economic development circumstances.

Councilmember Kovach asked how Norman having its own local PTA would fit into the growing trend of regionalizing trusts and asked if Norman's trust could work with regional trusts. Chairman Ezzell said when cities get into large projects, trusts give them the ability to participate and multiple trust authority's can participate. Mr. Don Wood, Executive Director of the Norman Economic Development Coalition (NEDC), said "regional" is a marketing term and when a project gets into local, site specific issues some of the regional issues go away, but the project can still be marketed as regional because the business will most likely attract business to the Oklahoma City metro area and the events that take place there. He said trust authorities are expensive and sometimes bank loans can be cheaper to obtain, but a PTA would give the City of Norman more tools in their toolbox and more options to incoming businesses. Councilmember Kovach asked if a trust could benefit smaller businesses and Mr. Wood said, because of the costs of doing a project through a trust authority, the project would have to a large one. Chairman Ezzell said NEDC would help smaller businesses. Councilmember Quinn said the trust would position the City for future projects to be competitive, but Council would still have oversight. Councilmember Kovach felt that if the City does not create a PTA it takes the chance of losing businesses that could make use of a PTA.

Councilmember Gallagher said the boundaries for a majority vote of City Council is five votes and said five votes swings a lot of things. He said the majority of Council turns down very few proposals that come before them, some of which have been questionable in his opinion. He said eminent domain should be the last possible resort and when that happens, public good should be construed to be something vast. He said he would like to see seven as the super majority vote for eminent domain. He was also concerned about five people having control of public money. Chairman Ezzell said anyone can be elected to the City Council and they do not have to have any unique experience, background, training, or ability in the realm of issues the PTA will be overseeing. He said the PTA has specific requirements as to who can be a trustee in regards to educational and professional background. He said Council's plate is already too full so there would be nine people who are already busy with no educational or professional experience that gives them the ability to be a trustee. He felt Council cannot, as a group, effectively run the trust. He said although it is theoretically possible, it is not probable. He said saying a private entity is handling public money is not accurate as the elected representatives will have the final decision. He understands the caution regarding Council approving issues with five votes in regards to eminent domain, but majority and super majority vote issues are dictated by Charter. Councilmember Spaulding said he also liked the idea of requiring a super majority vote of seven for eminent domain.

Councilmember Spaulding said he was concerned about conflict of interest regarding trustees and possible projects. He asked what would happen in a situation where a bank representative is a trustee and his/her bank is a possible applicant in a loan. Chairman Ezzell said the City's Conflict of Interest Policy would control that and the trustee would need to abstain. Councilmember Gallagher asked that language be placed in the trust to make conflict of interest issues clear. Chairman Ezzell asked Staff to include language that trustees are governed by the City's Conflict of Interest Policy.

Chairman Ezzell said he would be comfortable with eminent domain requiring seven votes; however, that would require a Charter amendment. He said he has not voted on an eminent domain item since being seated on Council and the City has acquired a lot of property in that time span. He asked Mr. Bryant how many eminent domain cases the City has had and Mr. Bryant said there were a couple of properties that had issues for the Robinson Street Underpass Project; however, they eventually made a settlement without using eminent domain or going to Court. He said eminent domain is a process to make sure there is fair compensation for the land that is being acquired. He said there can be a question as to whether it is a proper subject for condemnation, but the City has never had a case go to the Court system. He said the City has never had a case where it asserted eminent domain strictly for economic development.

Mr. Bryant said the purpose of the PTA is to get a group of trustees that are specific to economic development and can evaluate deals on a business basis. He said the PTA would then bring that forward to Council if there is a need for public money. He said, at this point, there is no public money or revenue stream for the trust to spend, but if there was a business that needs help with carrying costs on property, a PTA would be the vehicle to help them as long as they meet the criteria for economic development.

Mr. Steve Lewis, City Manager, said a multi-national corporation making a decision about locating in Norman will have a site selection team to make that decision. He said he feels there is more of an affinity with business people in the community first before they deal with elected officials, which speaks to a trust primarily made up of business people and is a good first impression for the community. Mr. Wood agreed and said a company does want to know that public officials are pro-business, but they get that more from community businesses they can speak to about what it is like doing business within the community. He said NEDC usually connects new businesses with existing businesses such as Hitachi or York for testimony.

Councilmember Locket asked how the trust was being paid for and Chairman Ezzell said there is no dedicated funding source or costs. He said Council is creating the PTA as a tool and if something comes forward, the PTA will ask the Council to approve the conduit financing package they propose to make the deal work. She asked where the trustee costs will come from and Chairman Ezzell said it will be no different than any other City board in that City Staff will act as the PTA Staff. Councilmember Lockett said she did not like voting on issues with no funding source. She felt that although there are no funding issues currently, there could be in future years. Mr. Wood said Cleveland County's Trust charges an administrative fee of 1% from a project and the City could consider that as well. Mr. Bryant said the PTA would only meet if there was a project to discuss and costs would be minimal.

Councilmember Spaulding asked if having a trust could have attracted a project such as Warren Theater and Mr. Wood said yes. Councilmember Spaulding said that theater should have been in Norman and he is excited about the possibility of attracting a project like that. Chairman Ezzell said one of the reasons the theater was not in Norman was because they wanted a particular portion of the infrastructure costs paid and there was no mechanism to pay that and the trust would have been that mechanism.

Chairman Ezzell said he would like language included for conflict of interest then forward to Council for a Study Session. Councilmember Quinn suggested language stating that all PTA action must adhere to the Charter and Mr. Bryant felt that would be a good idea.

Item 1, continued:

Items submitted for record

1. Memorandum dated December 28, 2011, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Members of the Business and Community Affairs Committee
2. Draft Trust Indenture Creating the Norman Economic Development Authority
3. Proposed amended to Article VIII of the draft Trust Indenture Creation the Norman Economic Development Authority



Item 2, being:

CONTINUED DISCUSSION REGARDING ON AND OFF PREMISE SIGN CODE REGULATIONS.

Ms. Susan Connors, Director of Planning and Community Development, said the off-premise digital signs proposals were being brought back to the Committee to clarify questions from Mr. Tony Tyler, Tyler Outdoor Signs, and Mr. Bill Hickman, Attorney. She said the remaining issue is the brightness of the illumination as Staff has suggested 300 NITS at night and 5,000 NITS during the day and Mr. Tyler and Mr. Hickman had recommended 500 NITS at night and 6,500 NITS during the day. Chairman Ezell asked what the basis was for the City's position on the NITS and would like Mr. Tyler and Mr. Hickman's response on the industry position. Ms. Connors said the City's proposals were patterned after several communities who relied on studies not sponsored by the industry, which suggest lower limits due to potential negative impacts on nearby residences and the traveling public as well as ordinances from other communities. Mr. Tyler said it has been suggested that he borrow a NIT Gun from the City of Oklahoma City and check several signs, at night, to determine a brightness number and he has invited City Staff. Chairman Ezzell felt that was a great idea and will defer the issue until that takes place. Councilmember Quinn asked if NIT levels can be adjusted after the sign has been built or does it have to be built with a particular level and Mr. Tyler said NITS can be adjusted. Councilmember Gallagher asked if the main concern was safety, brightness, or both and Mr. Tyler said both, but he was more concerned about the minimum amount of illumination that can be used without causing problems. Councilmember Kovach said he has seen some signs that seem excessively bright at night and asked if it was a concern for public safety or a distraction/blinding issue. Ms. Connors said it is mainly a public safety issue and drivers not being so distracted by the sign that you lose track of the road. Councilmember Kovach said at night that could be a real distraction due to contrast, but did not see an issue in the day and Ms. Connors said it was an issue of how much brightness is really needed in order to see the sign during the day.

Ms. Connors said Staff is proposing new language for on-premise signs, which has not been previously discussed by the Committee. Staff is recommending that on-premise signs be the same size and requirements as currently required in the Sign Code for commercial and industrial. She said Staff added language regarding on-premise digital signs for institutional uses. She said they must have a static change message with a swell time to twelve seconds and no flashing or blinking to avoid problems with drivers. She said the illuminations recommendations are the same as off-premise digital signs. She said the on-premise digital signs would have to be extinguished no later than 11:00 p.m. or within thirty minutes after close of business.

Chairman Ezzell said one concern he has about on-premise digital signs is that Staff has not had much input from the Chamber of Commerce or businesses that will be most affected by on-premise sign issues. He asked Mr. John Woods, Director of the Norman Chamber of Commerce, to distribute the proposals to the businesses for feedback. Chairman Ezzell said he loved the idea of getting actual field test results versus written studies. Ms. Connors said off-premise proposals were going to be reviewed by the Planning Commission next week and Staff could give the field trial results when it is forwarded to City Council for review and Chairman Ezzell said that would be fine to keep the off-premise sign proposals on track for approval.

Mr. Hickman said he would like the Committee to discuss cleaning up non-conforming off-premise signs on the surface streets of Norman. He said some are very old and the industry gets complaints about how ugly and unsightly they are, but the industry cannot remove the signs. He said the industry can maintain the signs, but cannot make them look more contemporary. He said another issue he would like discussed is including language in the Sign Code to allow sign companies to relocate signs to another location in the City when sign must be removed because of taking for public projects. Chairman Ezzell said those issues can be placed on the next agenda.

Items submitted for record

1. Memorandum dated February 24, 2012, from Doug Koscinski, AICP, Manager, Current Planning Division, via Susan Connors, AICP, Director of Planning and Community Development, to Business and Community Affairs Committee, with Exhibit A, Digital Sign Proposed Amendments, and Exhibit B, Draft Proposed Amendment to City of Norman's Sign Ordinance

Item 3, being:

MISCELLANEOUS DISCUSSION.

None

The meeting adjourned at 9:58 a.m.

ATTEST:

---

City Clerk

---

Mayor





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: O-1112-30**

<b>File ID:</b> O-1112-30	<b>Type:</b> Ordinance	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 5	<b>In Control:</b> City Council
<b>Department:</b>	<b>Cost:</b>	<b>File Created:</b> 02/09/2012
<b>File Name:</b> Residential Concurrent Construction	<b>Final Action:</b>	

**Title:** ORDINANCE NO. O-1112-30: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 19-602 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CONCURRENT CONSTRUCTION IN RESIDENTIAL DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-30 upon First Reading by title.

ACTION TAKEN: \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 5

**Attachments:** O-1112-30 (Concurrent Construction) Clean,  
O-1112-30 (Concurrent Construction) Annotated,  
Business & Community Affair Committee minutes  
1-5-12, Study Session minutes

**Project Manager:** Kathryn Walker

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	03/08/2012					

### Text of Legislative File O-1112-30

Body

#### **BACKGROUND:**

The City of Norman requires that certain public improvements be constructed during the development of property. These can include paving, drainage, sanitary sewer, water and

sidewalks.

Section 19-309 requires that all final plats contain a certificate from the Chairman of the City of Norman Development Committee that the required public improvements comply with the approved standards and specifications. The construction of the public improvements must be assured by either construction and tentative approval by the City of required public improvements prior to filing the approved final plat and/or filing a surety bond with the Public Works Department to secure the actual construction of the required improvements. (Section 19-313).

Normally, a developer elects to install and construct some or all of the proposed public improvements prior to filing the final plat. If this is the case, the Developer submits a request to the Public Works Department and said Department reviews the construction drawings and documents and submit a report to the Planning Commission. Once the final plat is approved by the Planning Commission, the Public Works Department issues construction permits for all required public improvements. To ensure construction of the public improvements, the Public Works Department holds the final plat, as approved by the Planning Commission, until the approved program of construction is completed and the public improvements are accepted. (Section 19-314A).

If a developer does not elect to install and construct all or part of the proposed public improvements prior to filing the final plat, he will submit a surety bond, cash, certificate of deposit, or irrevocable letter of credit for all required improvements. The surety is submitted to the Director of Public Works and must provide for a stated period of time within which the developer will complete the improvements. The sum of the surety must be equal to 100% of the cost of construction of the improvements included in the bond. (Section 19-314B).

Once the public improvements have been constructed, the developer typically seeks acceptance of said improvements by the City. The City Council authorizes the Mayor to sign the plat and accept the improvements on behalf of the City based upon the certification by the City of Norman Development Committee that is required under Section 19-309. Where applicable, the Mayor will also approve the release of the surety bond where the provisions of the bond have been fully performed. (Section 19-315).

Although this is the typical process under our Code, several exceptions are noted in Section 19-601 et seq. One of these exceptions is the case of concurrent construction (Section 19-602C). Concurrent construction refers to those situations in which the City may issue building permits prior to the construction of public improvements. Among other things, the construction of the public improvements that are not installed prior to the issuance of building permits must be secured by a surety bond in an amount equal to 125% of the cost of construction of the improvements (Section 19-602C). Currently, concurrent construction is only allowed in multi-family, commercial and industrial developments.

Recently, the Norman Developer's Council (NDC) and the Builder's Association of South Central Oklahoma (BASCO) requested that the City consider extending concurrent construction to other types of developments to expedite residential subdivision development, and to reduce costs to developers and their customers. The Council Business and Community Development Committee discussed the proposed ordinance changes on January 5, 2012. The City Council reviewed Ordinance No. O-1112-30 during its Study Session on Tuesday, February 21, 2012, and directed the proposed ordinance changes to proceed to the Planning Commission. Planning Commission reviewed Ordinance No. O-1112-30 at its meeting on March 8, 2012.

**DISCUSSION:**

Staff reviewed similar policies currently in place in the cities of Oklahoma City, Moore, Edmond and Del City. Some form of concurrent construction for residential subdivisions is utilized in each city. Staff worked with representatives of the development community to draft an ordinance that is a hybrid of those other policies, tailored to the needs and standards of the Norman community.

Some of the key elements of Ordinance No. O-1112-30 are:

Allow Concurrent Construction in Residential Subdivisions, i.e. private home building concurrent with the construction of public improvements

Financial security provided by developers

No Certificate of Occupancy for single family homes until all public improvements have been completed and accepted by the City

Retain current high quality standards for the design, construction and warranty of all public improvements including streets, storm water, sanitary sewer and water

Maintain public safety

Continue the City's successful program of requiring detailed Storm Water Grading Plans for each subdivision prior to filing of the final plat

**RECOMMENDATION:**

It is recommended that the City Council approve Ordinance No. O-1112-30 upon Second Reading.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN,  
OKLAHOMA AMENDING SECTION 19-602 OF THE CODE OF THE  
CITY OF NORMAN TO ALLOW CONCURRENT CONSTRUCTION  
IN RESIDENTIAL DEVELOPMENT; AND PROVIDING FOR THE  
SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
NORMAN, OKLAHOMA:

- § 1. That Section 19-602 of Chapter 19 of the Code of the City of Norman shall be amended to read as follows:

\* \* \* \* \*

C. *Concurrent construction:*

1. It is the purpose of this section to provide, under specific circumstances as are hereinafter designated, a procedure whereby building permits may be issued prior to the construction of all public improvements which are required by other portions of this Code; provided, however, that only a "Foundation only" permit will be issued until such time as the water portion of said public improvements have been completed, inspected and approved by the City of Norman Development Committee.
2. In Multi-Family, Commercial, and Industrial Developments, building permits may be issued prior to the construction of such public improvements required by the Code of the City of Norman when all of the following conditions have been met:
  - (a) All water improvements required by this code have been completed and certified by the Department of Public Works in accordance with Section 19-315B.4. Maintenance bonds for these improvements shall be in the sum of one hundred (100) percent of the total actual cost of construction of the completed improvement; and, may be accepted upon the unanimous vote of the City of Norman Development Committee, at which time the Mayor is authorized to accept the maintenance bond on behalf of the City;
  - (b) The construction of public street, sanitary sewer, and surface drainage improvements not installed prior to issuance of building permits shall be secured as follows:
    - (1) The amount of surety shall be in the sum of one-hundred twenty-five (125) percent of the certified engineer's estimate required by Section 19-314B.4. of this Code; and,

- (c) The subdivider shall provide and maintain an all-weather surface means of ingress and egress, satisfactory to the Director of Public Works and the Fire Chief, to all structures to facilitate emergency vehicle access; and,
  - (d) The subdivider shall provide and maintain such temporary drainage structures or improvements as may be deemed necessary by the Director of Public Works or the Director's representative.
3. In R-1, Single Family Dwelling Districts, R-1-A, Single Family Attached Dwelling Districts, R-2, Two Family Dwelling Districts, and Planned Unit Developments for only single-family homes, building permits may be issued prior to the completion of all such public improvements as are required by the Code of the City of Norman, and the Final Plat may be filed in the office of the Cleveland County Clerk, when all of the following conditions have been met:
- (a) All water and sewer improvements (both on-site and off-site) and the As-Built Plans have been completed and certified by the Director of Public Works in accordance with Section 19-315B.4. Maintenance bonds for these improvements shall be in the sum of One Hundred (100) percent of the total actual cost of the construction of the completed improvements, and may be accepted upon the unanimous vote of the City of Norman Development Committee, at which time the Mayor is authorized to accept the maintenance bond on behalf of the City; and
  - (b) After the 4-inch base course of asphaltic concrete pavement or the full-depth 6-inch portland cement concrete pavement has been completed and certified by the Director of Public Works in accordance with Section 19-315B.4., the construction of any remaining course(s) of asphalt for public streets, plus storm drainage improvements, not installed prior to issuance of building permits shall be secured as follows:
    - (1) The amount of surety shall be in the sum of One Hundred Twenty-Five (125) percent of the certified engineer's estimate required by Section 19-314B.4. of this Code; and,
  - (c) The subdivider shall provide and maintain temporary drainage structures or improvements as may be deemed necessary by the Director of Public Works or said Director's designated representative; and



(d) The As-Built Subdivision Grading Plan for all lots in the subdivision shall have been completed according to Norman ordinances and regulations, filed, and certified by the Director of Public Works

4. No occupancy permit shall be issued for any lot or structure in the subdivision prior to the completion and acceptance of all required public improvements in the subdivision.

§ 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day of  
of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 19-602 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CONCURRENT CONSTRUCTION IN RESIDENTIAL DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 1. That Section 19-602 of Chapter 19 of the Code of the City of Norman shall be amended to read as follows:

\* \* \* \* \*

C. *Concurrent construction:*

1. It is the purpose of this section to provide, under specific circumstances as are hereinafter designated, a procedure whereby building permits may be issued prior to the construction of all public improvements which are required by other portions of this Code; provided, however, that only a "Foundation only" permit will be issued until such time as the water portion of said public improvements have been completed, inspected and approved by the City of Norman Development Committee.
2. In Multi-Family, Commercial, and Industrial Developments, Bbuilding permits may be issued prior to the construction of such public improvements required by the Code of the City of Norman when all of the following conditions have been met:
  - ~~(a) — The subdivision for which the improvements are required is multi-family, commercial or industrial development;~~
  - (ba) All water improvements required by this code have been completed and certified by the Department of Public Works in accordance with Section 19-315B.4. Maintenance bonds for these improvements shall be in the sum of one hundred (100) percent of the total actual cost of construction of the completed improvement; and, may be accepted upon the unanimous vote of the City of Norman Development Committee, at which time the Mayor is authorized to accept the maintenance bond on behalf of the City;
  - (eb) The construction of public street, sanitary sewer, and surface drainage improvements not installed prior to issuance of building permits shall be secured as follows:

- (1) The amount of surety shall be in the sum of one-hundred twenty-five (125) percent of the certified engineer's estimate required by Section 19-314B.4. of this Code; and,
  - (~~dc~~) The subdivider shall provide and maintain an all-weather surface means of ingress and egress, satisfactory to the Director of Public Works and the Fire Chief, to all structures to facilitate emergency vehicle access; and,
  - (~~ed~~) The subdivider shall provide and maintain such temporary drainage structures or improvements as may be deemed necessary by the Director of Public Works or the Director's representative.
- 3. In R-1, Single Family Dwelling Districts, R-1-A, Single Family Attached Dwelling Districts, R-2, Two Family Dwelling Districts, and Planned Unit Developments for only single-family homes, building permits may be issued prior to the completion of all such public improvements as are required by the Code of the City of Norman, and the Final Plat may be filed in the office of the Cleveland County Clerk, when all of the following conditions have been met:
  - (a) All water and sewer improvements (both on-site and off-site) and the As-Built Plans have been completed and certified by the Director of Public Works in accordance with Section 19-315B.4. Maintenance bonds for these improvements shall be in the sum of One Hundred (100) percent of the total actual cost of the construction of the completed improvements, and may be accepted upon the unanimous vote of the City of Norman Development Committee, at which time the Mayor is authorized to accept the maintenance bond on behalf of the City; and
  - (b) After the 4-inch base course of asphaltic concrete pavement or the full-depth 6-inch portland cement concrete pavement has been completed and certified by the Director of Public Works in accordance with Section 19-315B.4., the construction of any remaining course(s) of asphalt for public streets, plus storm drainage improvements, not installed prior to issuance of building permits shall be secured as follows:
    - (1) The amount of surety shall be in the sum of One Hundred Twenty-Five (125) percent of the certified engineer's estimate required by Section 19-314B.4. of this Code; and,

(c) The subdivider shall provide and maintain temporary drainage structures or improvements as may be deemed necessary by the Director of Public Works or said Director's designated representative; and

(d) The As-Built Subdivision Grading Plan for all lots in the subdivision shall have been completed according to Norman ordinances and regulations, filed, and certified by the Director of Public Works

34. No occupancy permit shall be issued for any lot or structure in the subdivision prior to the completion and acceptance of all required public improvements in the subdivision.

§ 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day of  
of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

CITY COUNCIL  
BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES

January 5, 2012

The City Council Business and Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 9:00 a.m. in the Conference Room on the 5th day of January, 2012, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Lockett, Quinn, Spaulding, and Chairman Ezzell
ABSENT:	None
OTHERS PRESENT:	Councilmember Roger Gallagher, Ward One Councilmember Tom Kovach, Ward Two Mr. Trey Bates, Hallbrooke Development Group Mr. Mark Campbell, interested citizen Ms. Maureen Hammond, Norman Economic Development Coalition Mr. Harold Heiple, Attorney Mr. Curtis McCarty, McCarty Construction Mr. Gene McKown, Ideal Homes Mr. Sean Rieger, Norman Builders Association Mr. John Woods, Chamber of Commerce Director
STAFF PRESENT:	Mr. Bob Christian, Permit Manager Ms. Susan Connors, Director of Planning and Community Development Mr. Ken Danner, Subdivision Manager Mr. Steve Lewis, City Manager Mr. Doug Koscinski, Current Planning Manager Ms. Kathryn Walker, Assistant City Attorney Ms. Syndi Runyon, Administrative Technician IV

Chairman Ezzell stated with the Committee's concurrence, Item 3 would be discussed first.

Item 3, being:

**DISCUSSION REGARDING NORMAN'S CONCURRENT CONSTRUCTION POLICY IN RESIDENTIAL SUBDIVISIONS.**

Chairman Ezzell said the City of Norman has a Concurrent Construction Policy for commercial and multi-family developments. Questions have been raised in regards to residential subdivision development, whether construction should be allowed to move forward after substantial completion of infrastructure and road improvements without waiting for final inspections and approval.

Mr. Ken Danner, Subdivision Manager, said Council asked Staff to review the current Concurrent Construction Policy and consider possible modifications to better coincide with policies in other Oklahoma metropolitan areas. He said, based upon research, Staff believes the current policy should be updated and improved and Staff will begin meetings with the development sector.



Some of the key issues to be addressed in the updated policy are allowing concurrent construction in residential subdivisions; reducing the current timeframe between substantial completion of public improvements and the filing of the final plat, including issuance of building permits; continuing reasonable requirements for financial security provided by developers; withholding Certificates of Occupancy for all single family homes until all public improvements have been completed and accepted by the City; retaining current high quality standards for design, construction, and warranty of all public improvements; and continuing the City's successful program of requiring detailed Storm Water Grading Plans for each subdivision prior to filing of the final plat.

Chairman Ezzell said the Oklahoma City (OKC) ordinance has a 110% bonding requirement and asked what OKC is bonding if the infrastructure improvements are already in place. Mr. Danner said OKC is bonding the entire project, even though all improvements are in place and Chairman Ezzell felt that was a bit backwards. Mr. Harold Heiple, Attorney, said developers should not have to bond the entire project if improvements are in place. He said if substantial infrastructure completion is done, the developer should be required to bond the remaining improvements and be allowed to file the final plat. He said developers cannot sell a lot until the final plat is filed and that process has been held up until all improvements are completed and accepted by the City; however, bonding the completion and allowing acceptance of the final plat will help developers sell the lots and move forward. Mr. Gene McKown, Ideal Homes, said the City of Norman's proposed requirements are fair and reasonable.

Chairman Ezzell asked when Staff could present the proposed amendments to Council and Mr. Steve Lewis, City Manager, said early February. Mr. Danner said typically, amendments would be approved by the Planning Commission prior to City Council approval. Mr. Heiple said there are a great deal of subdivision regulations that should not have to go to Planning Commission and if the City had an ordinance tomorrow that was ready to go to Council, it could be approved before the February Planning Commission meeting. He said these are the types of things that developers and City Staff are trying to identify that do not need to go before the Planning Commission. Chairman Ezzell said everyone seems to be on the same page going forward and felt the amendments should be reviewed by Council at a Study Session as soon as possible and Councilmembers agreed.

Items submitted for record

1. Memorandum dated January 4, 2012, from Shawn O'Leary, Director of Public Works, to Councilmember Hal Ezzell, Chairman, Council Business and Community Affairs Committee

Deputy Chief Maisano said the wrecker companies requested that one wrecker company be called for one incident instead of one wrecker service per vehicle involved in an incident. He said having all the vehicles at one impoundment location will benefit the PD, citizens, and insurance companies. Councilmember Gallagher asked if the current wrecker companies have the capability to tow up to four vehicles for one incident and Deputy Chief Maisano said yes. He said wrecker companies that participate must also have two drivers available from 7:00 p.m. to 7:00 a.m. and four drivers during the daytime hours. He said there is a provision in the policy that states if the wrecker company does not have enough vehicles to respond, the PD can call the next company on rotation.

Deputy Chief Maisano said State statutes have wrecker requirements, which will be incorporated into the wrecker policy by reference.

Deputy Chief Maisano said Staff reviewed allowing wrecker companies to collect City administrative fees; however, at this time, that has proven to be more complicated than anticipated. He said Staff will continue to review this issue and make recommendations to Council when a plan is drafted. Councilmember Kovach said he would like this implemented as it would be a benefit to the citizens.

Mayor Rosenthal asked how Council would be notified if the PD decided to proceed with a bid process in the future and Deputy Chief Maisano said any bid process would include a contract, which would have to be approved by the Council.

Councilmember Gallagher asked if the City was receiving a "privilege fee" from the wrecker companies and Deputy Chief Maisano said Tulsa and Oklahoma City do charge a stipend from wrecker services, but the City of Norman does not.

Councilmember Spaulding asked how many wrecker companies are in Norman and Deputy Chief Maisano said, according to the Department of Public Safety (DPS), there are five licensed wrecker companies in Norman; however, three of the companies belong to one owner and that company will only get one rotation spot on the schedule instead of three to make it more equitable to the other wrecker companies.

Councilmembers were in consensus to move forward with the policy amendments and asked Staff to keep working on a way the wrecker companies can collect City administrative fees.

Items submitted for the record

1. Memorandum dated January 30, 2012, from Keith L. Humphrey, Chief of Police, to Steve Lewis, City Manager
2. PowerPoint presentation entitled, "Wrecker Policy Update," Norman City Council Study Session, February 21, 2012

Item 2, being:

**DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE CITY'S CONCURRENT CONSTRUCTION ORDINANCE THAT WOULD ALLOW FOR THE INITIATION OF CONSTRUCTION PRIOR TO THE COMPLETION OF PUBLIC IMPROVEMENTS IN RESIDENTIAL DEVELOPMENTS.**

Mr. Shawn O'Leary, Director of Public Works, said the Norman Developer's Council (NDC) and Builder's Association of South Central Oklahoma (BASCO) had requested the City of Norman allow concurrent construction for the initiation of construction prior to completion of public improvements in residential developments. He said currently, the City of Moore, City of Oklahoma City, and City of Midwest City have some version of concurrent construction in residential subdivisions. He said the goal of allowing concurrent construction in residential areas is to expedite development and stimulate the economy. He said the Business and Community Affairs Committee reviewed the proposed amendments to the City's Concurrent Construction Ordinance on January 5, 2012.

Mr. O'Leary said concurrent construction allows concurrent building of public improvements at the same time the private sector is building their private improvements. He said, currently, the public improvements in a residential subdivision must be completed before the City of Norman will allow a building permit to be issued. He said the reason for not allowing concurrent construction are the risks involved. He said there is the risk that the homeowner's home is built, they are ready to move in, but the street is not installed, the water and sewer systems are not completed, no fire protection, emergency vehicles cannot get into the areas without streets, etc. There are also concerns regarding the financial security of the developer and making sure they have financial surety in case they are unable to finish the public improvements.

He said some of the key issues to be addressed in the updated policy for allowing concurrent construction in residential subdivisions are continuing reasonable requirements for financial security provided by developers; withholding Certificates of Occupancy (CO) for all single family homes until all public improvements have been completed and accepted by the City; retaining current high quality standards for design, construction, and warranty of all public improvements; maintaining public safety; and continuing the City's successful program of requiring detailed Storm Water Grading Plans for each subdivision prior to filing of the final plat.

The key ordinance provisions are that the final plat can be filed upon substantial completion of streets and storm drainage and complete construction of water and sewer; a building permit can be issued after the final plat is filed; no CO will be issued until all public improvements are completed; financial security will be required for only the remaining public improvements; subdivision grading plans must be certified and complete with filing of the final plat; and high quality public improvements including standard maintenance warranty will be required.

Mr. O'Leary said other cities require full financial surety for all of the public improvements despite what is finished and Norman will be unique in requiring financial surety for only the remaining public improvements.

Councilmember Kovach asked if a four inch street pavement sub-base would support emergency vehicles and Mr. O'Leary said yes, according to design standards it will. He said if there is a sub-grade failure, the City will see it and the developer will be responsible for repairs, not the City. Councilmember Kovach said if citizens are ready to move into a house and the City cannot issue a CO because 100% compliance has not been obtained, does the City, at that time, access the surety bonds and Mr. O'Leary said the City could do that, but it is an unlikely occurrence. Mr. Rick Knighton, City Attorney, said it would be a timing issue of how far along the public improvements are versus the residents wanting to move into their home. Councilmember Kovach asked who would make the call in determining whether or not a surety bond needs to be accessed and Mr. O'Leary said the Public Works Department manages all the platting and public improvements so they would probably make that call. He said, ultimately, the Legal Department would need to advise the Public Works Staff if legal action needed to be taken. Councilmember Dillingham felt that Staff would be well aware of potential problems before it resulted in legal action and Mr. O'Leary agreed and felt the risk would be limited.

Councilmember Gallagher asked what big advantage the City would have in allowing concurrent construction instead of having everything completed first and Mr. O'Leary said the developers believe it will save them time. He said Staff is asking Council to decide if it is worth the benefit to the community in getting the development started and getting the investment in the homes sooner versus the risk of having it all complete.

Councilmember Griffith said he was pleased about the Storm Water Grading Plan requirements. He said if a house is being built below grade, he could see silting issues being compounded and asked if there will be a policy in place for more stringent erosion control. Mr. O'Leary said there is potential for silting problems; however, the developers usually do a good job with erosion control and probably will not let that happen since it would be more costly and a nuisance to them.

Mayor Rosenthal said she was concerned about the potential homeowner who purchases a property under construction and may not be aware that they may not get a CO for six to eight months. She asked if the City can require a notice to buyers and Mr. O'Leary said there are provisions that can be made with the issuance of the building permit, but the City does not have a relationship with the homebuyer. He said it is a private transaction between the buyer and developer and he was unsure how notice could be given to them from the City. Mayor Rosenthal suggested a printed notice to the person obtaining the building permit to be more proactive in saying the information should be provided to perspective home buyers and Mr. O'Leary said that was doable and a great idea. Councilmember Dillingham said if the developer intends to avail himself of this process then the ordinance could include language that includes a notification on the building permit that this is subject to the concurrent construction ordinance.

Mr. Stephen Tyler Holman, 1020 South College, asked if the ordinance would affect un-platted parcels not located in a subdivision and Mr. O'Leary said no, it would only apply to platted subdivisions not private homes that are not built in a subdivision.

Ms. Joy Hampton, The Norman Transcript, said she was concerned about the older, inferior neighborhoods and asked if anything was being done to protect those neighborhoods as new development is being encouraged. She said it may not be in the scope of this ordinance, but when you rush new developments rushed, people flee to those places, which affects older neighborhoods. She said new developments can imperil interior neighborhoods that may already be in the balance.

Councilmember Dillingham asked if the developers are on board with the ordinance and Mr. Harold Heiple, Attorney, said yes, the ordinance was discussed with developers from the beginning and many of their ideas were incorporated into the ordinance.

Items submitted for the record

1. PowerPoint presentation entitled, "Concurrent Construction – Residential Development – Ordinance No. O-1112-30," City Council Study Session, Tuesday, February 21, 2012
2. Ordinance No. O-1112-30

The meeting adjourned at 6:30 p.m.

ATTEST:

---

City Clerk

---

Mayor





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: AP-1112-15**

<b>File ID:</b> AP-1112-15	<b>Type:</b> Appointment	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 6	<b>In Control:</b> City Council
<b>Department:</b> City Clerk Department	<b>Cost:</b>	<b>File Created:</b> 02/27/2012
<b>File Name:</b> Appointments	<b>Final Action:</b>	

**Title:** CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2  
TERM: 03-13-12 TO 04-10-13: HEATH HANS, 3820 CRAIL DRIVE

ENVIRONMENTAL CONTROL ADVISORY BOARD  
TERM: 03-13-12 TO 10-27-12: HOLLY ARMSTRONG, 3913 STONEWELL CT.

SOCIAL AND VOLUNTARY SERVICES COMMISSION  
TERM: 03-13-12 TO 12-09-14: BRIAN BURKS, 2112 CARNOUSTIE DRIVE

**INFORMATION:** In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. The following appointments will fulfill partial terms due to resignations from the current members. Heath Hans will replace Sondra Longerier, Holly Armstrong will replace Jacy Crosbie, and Brian Burks will replace Golda Long.

**ACTION NEEDED:** Motion to confirm or reject the appointments.

**ACTION TAKEN:** \_\_\_\_\_

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 6

**Attachments:**

**Project Manager:** Brenda Hall, City Clerk

**Entered by:** Ellen.Usry@NormanOK.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File AP-1112-15





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: RPT-1112-26**

<b>File ID:</b> RPT-1112-26	<b>Type:</b> Communication or Report	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 7	<b>In Control:</b> City Council
<b>Department:</b> City Clerk Department	<b>Cost:</b>	<b>File Created:</b> 02/27/2012
<b>File Name:</b> Public Arts Board Annual Repot	<b>Final Action:</b>	

**Title:** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE PUBLIC ARTS BOARD ANNUAL REPORT AND DIRECTING THE FILING THEREOF.

**ACTION NEEDED:** Motion to acknowledge receipt of the report and direct the filing thereof.

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 7

**Attachments:** Public Arts Board Annual Report

**Project Manager:** Brenda Hall, City Clerk

**Entered by:** Ellen.Usry@NormanOK.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File RPT-1112-26

#### Body

Section 4-202(12) of the Code of the City of Norman provides that the Public Arts Board present an annual report of its activities for the prior year to the City Council annually. In accordance therewith, the above-described item appears on City Council's agenda in order that acknowledgment of the receipt of the report may be noted in the minutes as a matter of permanent record.

**Annual Report of the Norman Public Arts Board  
Report to the City of Norman  
March 2012**

Once again, it's my pleasure to provide the annual report of the activities of the Norman Public Arts Board. This Board, created by city ordinance in the fall of 2007, has enjoyed an active year.

The members of this Board, the entities they represent, and their terms (expiring in October each year) are:

**Mayoral Appointees:**

Jana Moring	(Vice-Chair)	2014
Barbara Schindler		2012
Jonathan Fowler	(Secretary)	2013

**Norman Gallery Association**

Douglas Elder		2013
Ally Richardson		2014

**Norman Convention Visitors Bureau**

Sara Kaplan		2013
-------------	--	------

**Norman Arts and Humanities Roundtable**

Larry Walker	(Chair)	2012
--------------	---------	------

**Ex-Officio Member**

Jud Foster , Director of Parks and Recreation

In the five years since the PAB was formed, there have been several projects completed and four current projects in progress.

1. Photographic images were made of items in the City's collection. These may be viewed on the City's website
2. Two years were spent selecting, commissioning, raising funds, and installing *Indian Grass* in the East Main Roundabout
3. There have been a total of twenty-two presentations given to civic groups about public art in Norman, OK
4. The PAB organized a dialogue of 57 interested individuals from around the city to discuss their views of public art
5. *CRE8nSK8*, a community project involving six professional artists and over 100 volunteers, was held last Fall to paint contemporary street art on the Blake Baldwin Skate Park and this project was the recipient of the Award of Excellence for a community project for the Norman Parks and Recreation Department by the Oklahoma Recreation and Parks Society.
6. A map detailing art in public places in Norman is nearing completion and will be available through the NCVB, Norman Arts Council and at the city's offices
7. A large piece of art has been commissioned for placement on the west exterior wall of the storage building at the back of Andrews Park Amphitheatre during the month of April, 2012
8. May 20, 2012 has been set as the date to unveil two 44" tall fiberglass duck sculptures that have been enhanced by local artists and these will be installed near the splash pads in Andrews and Colonial Estates parks. This will be done in conjunction with "Luncheon on the Grass", an event for families and friends created by the Firehouse Art Center, Jacobson House, Norman Arts Council, and Fred Jones Jr. Museum of Art.

Although there has only been one major addition to the City's collection, most of the other projects have been designed to involve different parts of the community in public art activities, increase awareness of public art, attract tourists, and create a community engaged in improving the quality of life in Norman with art.

#### Finances

This continues to be a controlling factor of the PAB when looking at additional projects. Currently, the donations through the utility bills generates between \$800 to \$900 dollars each month. Major pieces of public art range in prices starting at \$50,000 and up to several million. Consequently, we must manage our available funds and consider realistic fund raising efforts as we progress.

#### Future Projects

Currently, our plans include:

1. Purchasing a few new smaller pieces of public art for placement in the "bumpout" sections of Main Street located west of the railroad tracks and University Blvd.;
2. Expanding the Park Sculpture Project with additional "Ducks" as funds are available;
3. Repainting of the ramps at the Blake Baldwin Skate Park;
4. Continuing to increase awareness of the values of public art while also attempting to get more donors through the utility bill donation program;
5. Consider the possibility of holding a sculpture competition, and
6. Look at the possibility of installing a major sculpture in a green space around the intersection of Flood and Robinson.

#### Summary

Since the creation of the Public Arts Board, much has been accomplished. Our goals and visions are limited by available funds, so we must continue to devise methods of securing funds while we build a broader base of volunteers and supporters. We also need to extend our thanks to the City's staff for their assistance, especially Shawn O'Leary, Jud Foster and the City Attorney's office. The continuing support of the City and City Council is greatly appreciated.

Respectfully submitted,

Larry P. Walker, Chair  
Norman Public Arts Board



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: K-1112-93**

<b>File ID:</b> K-1112-93	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 8	<b>In Control:</b> City Council
<b>Department:</b> Utilities Department	<b>Cost:</b> \$94,390.00	<b>File Created:</b> 02/27/2012
<b>File Name:</b> K-1112-93 Transfer Station Elect/Fire Improvements		<b>Final Action:</b>
<p><b>Title:</b> CONSIDERATION OF BID NO. 1112-36; CONTRACT NO. K-1112-93 WITH TERRELL ELECTRIC, INC. IN THE AMOUNT OF \$94,390; PERFORMANCE BOND NO. B-1112-24; STATUTORY BOND NO. B-1112-25; AND MAINTENANCE BOND NO. MB-1112-28 FOR THE TRANSFER STATION ELECTRICAL AND FIRE ALARM SYSTEM PROJECT.</p> <p><b>ACTION NEEDED:</b> Acting as the Norman Municipal Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$94,390 to Terrell Electric, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1112-93 and the performance, statutory, and maintenance bonds, authorize execution of the contract, and direct the filing of the bonds.</p> <p><b>ACTION TAKEN:</b> _____</p>		

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 8

**Attachments:** Bid tab Transfer Station, Engineer Recommendation, K-1112-93, K-1112-93 Statutory Bond, K-1112-93 Performance Bond, K-1112-93 Maintenance Bond

**Project Manager:** Jim Speck, Capital Projects Engineer

**Entered by:** jim.speck@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File K-1112-93

Body

**BACKGROUND:** The Norman Municipal Authority (NMA) Transfer Station is located at 3901 S. Chautauqua just south of State Highway 9. The Transfer Station is the centralized facility where residential and commercial non-hazardous solid waste is unloaded from collection vehicles and then loaded into larger tractor-trailer vehicles for transfer to a solid waste landfill outside of Norman. The Transfer Station building was placed in operation on July 1, 2011.

On July 21, 2011, a trash fire damaged the electrical and fire alarm system in the new facility. Damage was caused from excessive heat that collected in the upper portions of the building and, therefore, damaged all circuits in the ceiling area for lights and the fire alarm.

Through the On-Call Engineering Contract No. K-0910-62, staff directed Cardinal Engineers to perform an evaluation and produce bid documents and specs to bid the repair of the electrical and fire alarm system.

**DESCRIPTION:** The project includes repair of the electrical and fire alarm systems at the Transfer Station. The advertisement for Project Bid No. 1112-36 bid was published in the Norman Transcript on January 19 and January 26, 2012, and in several trade publications. Bids were received from three contractors on February 16, 2012. The low bidder was Terrell Electric, Inc. of Norman with a low bid of \$94,390. The other two bids were \$117,527 and \$225,000.

The Transfer Station Project Construction Account (033-9975-432.61-01) contains an unencumbered balance of \$204,550. Therefore, adequate funds to perform the repair are in the current Transfer Station Construction Account.

Staff and the design engineer recommend the following:

**RECOMMENDATION:** Staff recommends that NMA accept the bids received in response to Project Bid No. 1112-36, award the bid to Terrell Electric, Inc. of Norman, OK, and approve Contract No. K-1112-93 in the amount of \$94,390 to Terrell Electric Inc. and authorize the Chairman to sign Performance Bond No. B-1112-24, Statutory Bond No. B-1112-25, and Maintenance Bond No. MB-1112-28 contingent upon the City Attorney's approval; all bonds will be in the same amount of the construction contract.



BID RECORD  
City of Norman

BID: 1112-36

TITLE: Norman Transfer Station Repair

DATE: 2/16/12

BIDDER NAME	Bid Proposal:			
1. Central Contracting, Norman, Oklahoma				\$ <u>225,000.00</u>
2. Terrell Electric, Norman, Oklahoma				\$ <u>94,390.00</u>
3. Wiring Solutions, Oklahoma City, Oklahoma				\$ <u>117,527.00</u>
4.				\$
5.				\$
6.				\$
7.				\$
8.				\$
9.				\$
10.				\$
11.				\$
12.				\$
13.				\$

Received and Opened by: Frederick Duke

Date: 2-16-12

February 20, 2012  
Mr. Jim Speck, P.E., P.L.S.  
Utility Department  
City of Norman  
201-C West Gray  
Norman, OK 73070

RE: Norman Transfer Station K-1112-93

Dear Mr. Speck

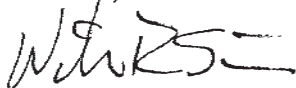
The Engineer's tabulation verified the apparent low bidder as Terrell Electric, Inc. at a base bid of \$94,390.00.

A total of five (3) bids were received and tabulated. The two (2) remaining bids were 138.4% and 24.5% higher than the low bid.

Terrell Electric, Inc submitted a complete bid package in accordance with the requirements of the Bid Documents. Terrell Electric, Inc attended the mandatory pre-bid meeting. Due diligence phone calls from Cardinal Engineering to the listed project contact references resulted in very good references on projects involving similar work.

Based on these criteria, the Engineer considers the attached tabulated bids and the Terrell Electric, Inc low bid as valid and good base bids. Cardinal Engineering recommends that a contract for the Base Bid of \$94,390.00 be awarded to Terrell Electric, Inc. If you have any questions, please call.

Sincerely,



William R. Swain, P.E., P.L.S.  
Cardinal Engineering Inc.

**CONTRACT**

THIS CONTRACT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the NORMAN MUNICIPAL AUTHORITY, a Public Trust of the State of Oklahoma, hereinafter designated as the AUTHORITY, and Terrell Electric, Inc, hereinafter designated as the CONTRACTOR.

**WITNESSETH**

WHEREAS, the AUTHORITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

**Repair of Norman Transfer Station (SA0002)**

as outlined and set out in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the AUTHORITY in the manner and at the time specified, a sealed proposal in accordance with the terms of this CONTRACT; and,

WHEREAS, the AUTHORITY, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be the lowest and best Bidder on the above-prepared project, and has duly awarded this CONTRACT to said CONTRACTOR, for the sum named in the proposal, to wit:

Ninety-four thousand, three hundred ninety  
Dollars (\$ 94,390.00).

NOW, THEREFORE, for and in consideration of the mutual agreements, and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents:

- the Bid Notice published in NORMAN TRANSCRIPT;
- the Notice to Bidders;
- the Instructions to Bidders;
- the CONTRACTOR'S Bid or Proposal;
- the Construction Drawings, Specifications, and Provisions; and
- the Bonds thereto; all of which documents are on file in the Office of the Purchasing Department of the NORMAN MUNICIPAL AUTHORITY, and are made a part of this CONTRACT as fully as if the same were set out at length, with the following additions and/or exceptions:

## ADDENDUMS

# One (1)

2) The AUTHORITY shall make payments, minus a retainage as stipulated in the CONTRACT Documents, to the CONTRACTOR in the following manner: On or about the first day of each month, the project manager, or other appropriate person, will make accurate estimates of the value, based on CONTRACT prices, of work done, and materials incorporated in the work and of materials suitably stored at the site thereof during the preceding calendar month. The CONTRACTOR shall furnish to the project manager, or other appropriate person, such detailed information as he may request to aid him as a guide in the preparation of the monthly estimates.

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Title 62, Section 310.09.

On completion of the work, but prior to the acceptance thereof by the AUTHORITY, it shall be the duty of the project manager, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the AUTHORITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainage) will be approved and paid.

3) It is further agreed that the CONTRACTOR will commence said work within five (5) calendar days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same within 90 calendar days following receipt of said NOTICE-TO-PROCEED.

- 4) That the AUTHORITY shall pay the CONTRACTOR for the work performed as follows:
- a) Payment for unit price items shall be at the unit price bid for actual construction quantities. (or) Payment for the lump sum price items shall be at the price bid for actual construction complete in place.
  - b) Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities. Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied. And that the CONTRACTOR'S bid is hereby made a part of this CONTRACT.

5) That the AUTHORITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price bid.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the AUTHORITY; and that in the event any additions are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the AUTHORITY, the CONTRACTOR shall be compensated therefore at the unit price bid or as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejection by the AUTHORITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefore by the AUTHORITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR agrees to pay as liquidated damages, the sum one hundred and sixty dollars (\$160.00) for each consecutive calendar day thereafter the specified time for completion, as provided in the General Conditions.

10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the AUTHORITY prior to issuance of the Work Order and commencement of work on the project.

11) The CONTRACTOR shall indemnify, hold harmless, and defend the AUTHORITY from and against any and all liabilities, claims, penalties, fines, forfeitures, suits and the cost and expenses incidental thereto (including cost of defense, settlement, and the reasonable attorney's fees) which may be alleged against the AUTHORITY or which the AUTHORITY may incur, become responsible for, or pay out as a result of death or bodily injury to any person, destruction, or damage to any property, contamination of or adverse effects on the environment, or any violation or alleged violation of governmental laws, regulations orders, to the extent that such damage was caused by the CONTRACTOR or CONTRACTOR'S agents negligence, willful or intentional act or omission, breach or contract or a failure of CONTRACTOR'S warranties to be true, accurate, or complete.

12) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four (4) duplicate originals, the day and year first above written.

To that end, no provision of this CONTRACT or of any such aforementioned documents shall be interpreted or given legal effect to create an obligation on the part of the AUTHORITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the AUTHORITY or in any way to restrict the freedom of the AUTHORITY to exercise full discretion in its dealing with the Contractor.



The sworn, notarized statement below must be signed and notarized before this Contract will become effective.

STATE OF Oklahoma )  
COUNTY OF Cleveland )§

William H. Terrell, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by CONTRACTOR to submit the above CONTRACT to the AUTHORITY. Affiant further states that CONTRACTOR has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the AUTHORITY any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

William H. Terrell

Submitted and sworn to before me this 5th day of March, 2012.

Ramona L. Lenhart  
# 09000697

Notary Public

My Commission Expires:

1/21/2013

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 5th day of March, 20 12, and the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

(Corporate Seal) (where applicable)

ATTEST

Rebecca Sweeney  
Corporate Secretary (where applicable)

TERRELL Electric, Inc  
PRINCIPAL

Signed:

William H. Terrell  
Authorized Representative

William H. Terrell, President  
Name and Title

Address:

523 Highland Pkwy  
Norman, OK 73069

Telephone:

405-364-6923

NORMAN MUNICIPAL AUTHORITY

APPROVED as to form and legality this 5 day of March, 20 12.

[Signature]  
AUTHORITY Attorney

Approved by the Trustees of the NORMAN MUNICIPAL AUTHORITY this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

NORMAN MUNICIPAL AUTHORITY

ATTEST

By: \_\_\_\_\_

Title: Chairman

\_\_\_\_\_

Secretary

**PERFORMANCE BOND**

Know all men by these presents that Terrell Electric, Inc., as PRINCIPAL, and Granite Re, Inc., a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN MUNICIPAL AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of ninety-four thousand, three hundred ninety Dollars (\$ 94,390.00 ), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

**REPAIR OF NORMAN TRANSFER STATION**  
**NORMAN, OKLAHOMA**

has entered into a written CONTRACT (K-1112-93) with the AUTHORITY, dated March 13, 2012 for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by the CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the AUTHORITY from all loss, damage, and expense to life or property suffered or sustained by any person, firm, or corporation caused by the PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of the PRINCIPAL or his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the AUTHORITY harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 29th day of February, 20 12, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 29th day of February, 20 12.

(Corporate Seal) (where applicable)

ATTEST

Rebecca Seuree  
Corporate Secretary (where applicable)

Terrell Electric, Inc.  
PRINCIPAL

Signed: William H. Terrell  
Authorized Representative

William H. Terrell, President  
Name and Title

Address: 523 Highland Parkway  
Norman, OK 73069

Telephone: 405.364.6923

(Corporate Seal)

~~XXXXXX~~ Witness:

Christie Lewis  
~~XXXXXXXXXXXX~~

Granite Re, Inc.

SURETY

Signed: David Dutton  
Authorized Representative

David Dutton, Attorney-in-Fact  
Name and Title

Address: P.O. Box 25928  
Oklahoma City, OK 73125

Telephone: 405-523-2100

**CORPORATE ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                     )  
   )§  
COUNTY OF Cleveland                     )

The foregoing instrument was acknowledged before me this 5 day of March,  
20 12, by William H. Terrell, President of Terrell Electric, Inc.,  
Name and Title  
a Oklahoma corporation, on behalf of the corporation.

WITNESS my hand and seal this 5 day of March 20 12.

Ramona L. Benhart  
Notary Public     #04000697

My Commission Expires: 1/21/2013

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                     )  
   )§  
COUNTY OF \_\_\_\_\_                     )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ an individual.  
Name and Title

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_





Bond #GR17742

## STATUTORY BOND

Know all men by these presents that Terrell Electric, Inc.,  
as PRINCIPAL, and Granite Re, Inc., a corporation organized  
under the laws of the State of Oklahoma, and authorized to transact business in the  
State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN MUNICIPAL  
AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum  
of ninety-four thousand, three hundred ninety Dollars  
(\$ 94,390.00), for the payment of which sum PRINCIPAL and SURETY bind  
themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the  
lowest and best bidder on the following PROJECT:

### REPAIR OF NORMAN TRANSFER STATION NORMAN, OKLAHOMA

has entered into a written CONTRACT (K-1112-93) with the AUTHORITY, dated  
March 13, 2012 for the erection and construction of this PROJECT, that  
CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work  
on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all  
indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in  
the making of the PROJECT, whether incurred by the PRINCIPAL, his subcontractors, or any  
material men, then this obligation shall be void. Otherwise this obligation shall remain in full  
force and effect. If debts are not paid within thirty (30) days after the same becomes due and  
payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond,  
subject to the provisions of 61 O.S. 1981 §2, for the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or  
alterations in said CONTRACT and no deviations from the plan or mode of procedure herein  
fixed shall have the effect of releasing the SURETIES, or any of them, from the obligation of this  
Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include  
payment of not less than the prevailing hourly rate of wages as established by the Commissioner  
of Labor of the State of Oklahoma and by the Secretary of the U.S. Department of Labor or as  
determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 29th day of February, 2012, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the 29th day of February, 2012.

(Corporate Seal) (where applicable)

ATTEST

Rebecca Seveee  
Corporate Secretary (where applicable)

Terrell Electric, Inc.  
PRINCIPAL

Signed: William H. Terrell  
Authorized Representative

William H. Terrell, President  
Name and Title

Address: 523 Highland Parkway  
Norman, OK 73069

Telephone: 405.364.6923

(Corporate Seal)

~~XXXXXX~~ Witness:

Christi Lewis  
~~XXXXXXXXXXXXXXXXXXXX~~

Granite Re, Inc.

SURETY

Signed: David Dutton  
Authorized Representative

David Dutton, Attorney-in-Fact  
Name and Title

Address: P.O. Box 25928  
Oklahoma City, OK 73125

Telephone: 405-523-2100

**CORPORATE ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                     )  
   )§  
COUNTY OF Cleveland                     )

The foregoing instrument was acknowledged before me this 5 day of MARCH,  
20 12, by William H. Terrell, President of Terrell Electric Inc.,  
Name and Title  
a Oklahoma corporation, on behalf of the corporation.

WITNESS my hand and seal this 5 day of MARCH 20 12.

Ramona L. Leubart  
Notary Public      #09000697

My Commission Expires: 1/21/2013

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                     )  
   )§  
COUNTY OF \_\_\_\_\_                     )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ an individual.  
Name and Title

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_





**MAINTENANCE BOND**

Know all men by these presents that Terrell Electric, Inc.  
as PRINCIPAL, and Granite Re, Inc., a corporation organized  
under the laws of the State of Oklahoma, and authorized to transact business in the  
State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN MUNICIPAL  
AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum  
of ninety-four thousand, three hundred ninety Dollars  
(\$ 94,390.00), for the payment of which sum PRINCIPAL and SURETY bind  
themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the  
lowest and best bidder on the following PROJECT:

REPAIR OF NORMAN TRANSFER STATION  
NORMAN, OKLAHOMA

has entered into a written CONTRACT (K-1112-93) with the AUTHORITY, dated  
March 13, 2012 for the erection and construction of this PROJECT, that  
CONTRACT being incorporated herein by reference as if fully set forth.

WHEREAS, under the ordinances of the AUTHORITY, the PRINCIPAL is required to  
furnish to the AUTHORITY a maintenance bond covering said construction of this PROJECT, the  
bond to include the terms and provisions hereinafter set forth, as a condition precedent to final  
acceptance of the PROJECT.

NOW THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and  
tear, the construction, except for defects not occasioned by improper workmanship, materials, or  
failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without  
notice from the AUTHORITY or expense to the AUTHORITY any and all defects arising from  
improper workmanship, materials, or failure to protect new work until it is accepted; all for a period  
of two (2) years from the date of the written final acceptance by the AUTHORITY, then this  
obligation shall be null and void. Otherwise, this obligation shall remain in full force and effect at  
all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to  
maintain or make any needed repairs upon the construction on the PROJECT, as set out in the  
preceding paragraph, within ten (10) days after the mailing of notice to the PRINCIPAL by letter  
deposited in the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at  
the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable  
to the AUTHORITY for the cost and expense for making such repair, or otherwise maintaining the  
said construction.

If is further expressly agreed and understood by the parties hereto that no changes or alterations in  
said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the  
effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 29th day of February, 2012, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 29th day of February, 2012.

(Corporate Seal) (where applicable)

ATTEST

Rebecca Seneee  
Corporate Secretary (where applicable)

Terrell Electric, Inc.

PRINCIPAL

Signed: William H. Terrell  
Authorized Representative

William H. Terrell, President

Name and Title

Address: 523 Highland Parkway

Norman, OK 73069

Telephone: 405.364.6923

(Corporate Seal)

~~XXXXXX~~ Witness:

Christi Lewis  
~~Corporate Secretary~~

Granite Re, Inc.

SURETY

Signed: David Dutton  
Authorized Representative

David Dutton, Attorney-in-Fact

Name and Title

Address: P.O. Box 25928

Oklahoma City, OK 73125

Telephone: 405-523-2100

**CORPORATE ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                     )  
   )§  
COUNTY OF Cleveland                     )

The foregoing instrument was acknowledged before me this 5 day of March,  
20 12, by William H. Terrell, President of Terrell Electric, Inc.,  
Name and Title  
a Oklahoma corporation, on behalf of the corporation.

WITNESS my hand and seal this 5 day of March 20 12.

Ramona L. Zerkant  
Notary Public                     # 09000697

My Commission Expires: 1/21/2013

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                     )  
   )§  
COUNTY OF \_\_\_\_\_                     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_, by \_\_\_\_\_ an individual.  
Name and Title

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



PURCHASE REQUISITION NBR: 0000198328

REQUISITION BY: WEBB G  
SHIP TO LOCATION: P W - UTILITIES DIRECTOR  
STATUS: DIVISION APPROVAL  
REASON: CONTRACT K-1112-93 TRANSFER STATION REPAIR  
DATE: 3/08/12  
DELIVER BY DATE: 3/31/12

SUGGESTED VENDOR: 4257 TERRELL ELECTRIC INC

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	TRANSFER STATION ELECTRICAL REPAIRS COMMODITY: CONSTRUCTION SERVICES, TR SUBCOMMOD: ELECTRICAL	94390.00	DOL	1.0000	94390.00	

REQUISITION TOTAL: 94390.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	03399754326101 Capital Projects Construction	SA0002 Transfer Station Expansio	100.00	94390.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTRACT K-1112-93 CONTINGENT ON NWA APPROVAL  
3-13-12.





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: GID-1112-67**

<b>File ID:</b> GID-1112-67	<b>Type:</b> Donation	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 9	<b>In Control:</b> City Council
<b>Department:</b> Police Department	<b>Cost:</b> \$1,230.00	<b>File Created:</b> 02/27/2012
<b>File Name:</b> Donation for the Animal Welfare Center	<b>Final Action:</b>	

**Title:** CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,230 FROM DR. BONNIE BOONE, D.V.M., TO BE USED FOR THE CONSTRUCTION OF THE ANIMAL WELFARE RENOVATION PROJECT.

**ACTION NEEDED:** Motion to accept or reject a donation in the amount of \$1,230 from Dr. Bonnie Boone, D.V.M., to be used for the construction of the Animal Welfare Renovation Project; and, if accepted, increase Animal Control Liability (010-0000-227-24-31) by \$1,230.

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 9

### Attachments:

**Project Manager:** John Bowman, Animal Welfare Supervisor

**Entered by:** kathy.lamar@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File GID-1112-67

Body

**BACKGROUND:** On February 11, 2012, the Norman Animal Welfare Center offered a vaccination clinic in cooperation with Dr. Bonnie Boone, DVM. The clinic was for residents of the City of Norman and was to raise awareness of City Pet Licenses and provide required vaccinations at a reduced cost. At the conclusion of the event, Dr. Boone made a donation of \$1,230 to the Norman Animal Welfare Center to be used as needed during construction of the new animal shelter.

**DISCUSSION:** Section 8.111 of Chapter 8 of the City Code states that all donations valued above \$250 to be received by the City of Norman, whether in the form of monies or any other thing of value, shall be required to be accepted by the Council of the City of Norman prior to any use or disbursement of such monies or thing of value by or to any City operation or cause.

**STAFF RECOMMENDATION:** It is recommended that City Council accept the donation of \$1,230 from Dr. Bonnie Boone, DVM and deposit the funds into the Animal Control Liability (010-0000-227.24-31).



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

File Number: GID-1112-66

File ID: GID-1112-66	Type: Donation	Status: Consent Item
Version: 1	Reference: Item No. 10	In Control: City Council
Department: Police Department	Cost: \$543.34	File Created: 02/27/2012
File Name: Donation for the Norman Animal Shelter	Final Action:	

**Title:** CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$543.34 FROM THE "NEW SHELTER NOW FOR NORMAN" GROUP TO BE USED FOR THE CONSTRUCTION OF THE ANIMAL WELFARE RENOVATION PROJECT AND BUDGET APPROPRIATION.

**ACTION NEEDED:** Motion to accept or reject a donation in the amount of \$543.34 from the "New Shelter Now for Norman" Group to be used for the construction of the Animal Welfare Renovation Project; and, if accepted, increase Animal Control Liability (010-0000-227-24-31) by \$534.34

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 10

### Attachments:

**Project Manager:** John Bowman, Animal Welfare Supervisor

**Entered by:** kathy.lamar@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File GID-1112-66

Body

**BACKGROUND:** "New Shelter Now for Norman" has donated \$543.34 to the Norman Animal Shelter. "New Shelter Now for Norman" was a private group set up to support a new animal shelter in the City of Norman. In November 2011, residents of the City of Norman voted on a bond issue for funding a new animal shelter in the City of Norman. "New Shelter Now for Norman" had \$543.34 in their account and believed that making a donation to the

Norman Animal Shelter was the proper way to dispose of the remaining balance in their account. This check was deposited into Animal Welfare's donations account on January 3, 2012.

**DISCUSSION:** Section 8.111 of Chapter 8 of the City Code states that all donations valued above \$250 to be received by the City of Norman, whether in the form of monies or any other thing of value, shall be required to be accepted by the Council of the City of Norman prior to any use or disbursement of such monies or thing of value by or to any City operation or cause.

**STAFF RECOMMENDATION:** It is recommended that City Council accept the donation of \$543.34 from the "New Shelter Now for Norman" and deposit the funds into the Animal Control Liability (010-0000-227.24-31). The funds should remain in this account and can be used during the construction of the New Animal Shelter.



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: FP-1112-14**

<b>File ID:</b> FP-1112-14	<b>Type:</b> Final Plat	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 11	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 12/19/2011
<b>File Name:</b> BDL Addition Final Plat	<b>Final Action:</b>	

**Title:** CONSIDERATION OF A FINAL PLAT FOR BDL ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE SOUTH SIDE OF ALAMEDA DRIVE ONE-FOURTH MILE EAST OF 72ND AVENUE S.E.)

**ACTION NEEDED:** Motion to approve or reject the plat for BDL Addition; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final plat.

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 11

**Attachments:** BDL Location Map, BDL Preliminary Plat, BDL Final Plat, BDL Site Plan, BDL Staff Report, 1-12-12 PC Minutes - BDL Addition

**Project Manager:** Ken Danner, Subdivision Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	01/12/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			
<b>Action Text:</b> Recommended for Adoption at a subsequent City Council Meeting to the City Council							
1	Planning Commission	01/12/2012					



**Text of Legislative File FP-1112-14**

Body

**BACKGROUND:** This item is a final plat for BDL Addition and is generally located on the south side of Alameda Drive and one-quarter mile east of 72nd Avenue N.E. This property consists of two (2) lots on 5.7 acres.

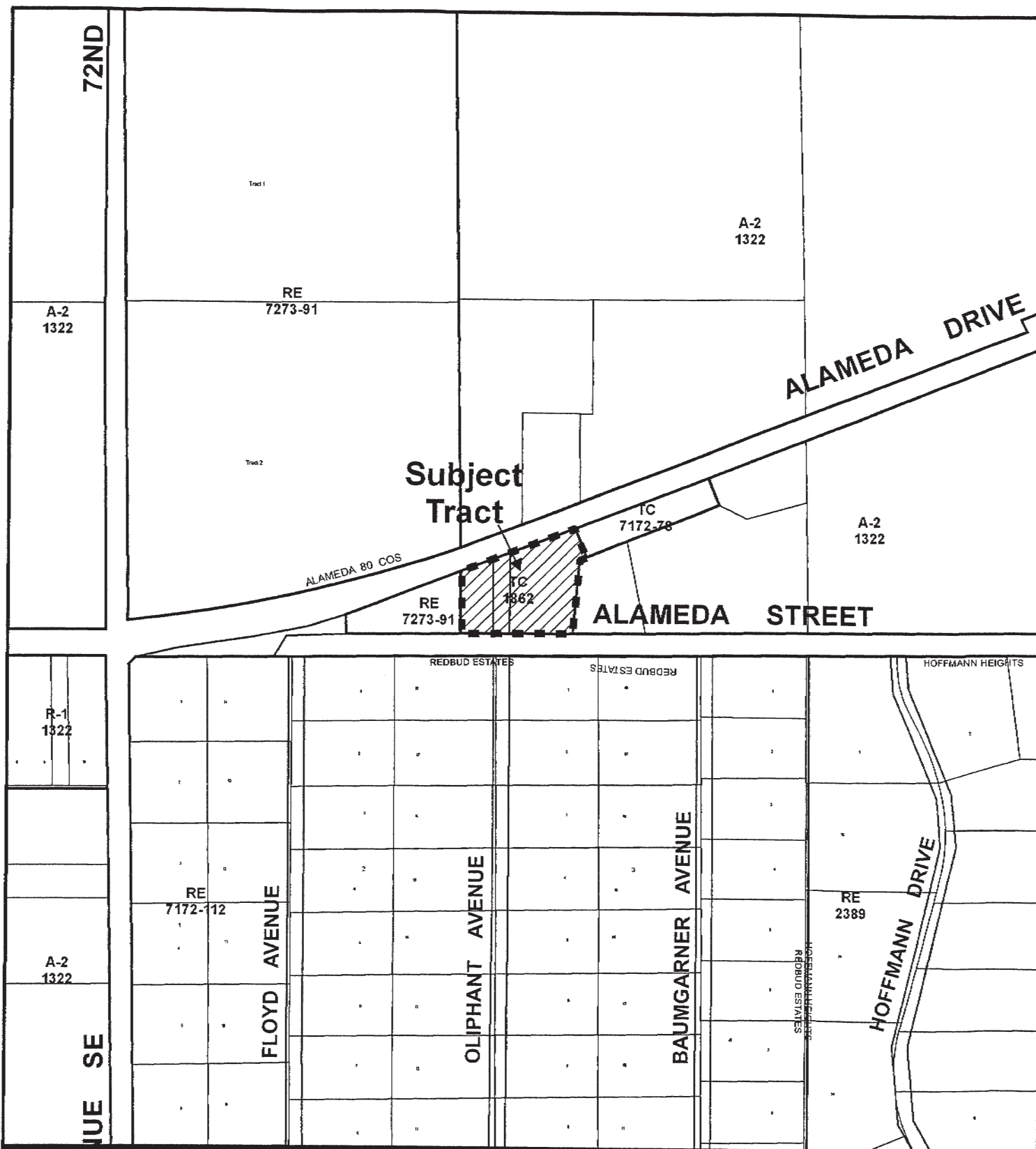
City Council, at its meeting of February 22, 1966, adopted Ordinance No. 1862 placing this property in TC-2, Tourist Commercial zoning district. Alameda Market has existed on Lot 1 for many years. At this time nothing is planned for Lot 2. In the future, the owner might expand his business. However, another small business could also utilize Lot 2.

City Council, at its meeting of January 10, 2012, approved the preliminary plat for BDL Addition. Planning Commission, at its meeting of January 12, 2012, approved the final plat for BDL Addition.

**DISCUSSION:** The public improvements are existing. Limits of No Access have been established on Oliphant Avenue from the Alameda Street intersection north a distance of 100 feet. In addition, any driveway accessing the southern portion of Lot 1 with access to Alameda Street must be located at least 100 feet east of Oliphant Avenue intersection. For Lot 2, there will be no direct access to either Alameda Drive or Alameda Street. Any access to Oliphant Avenue should be limited to an area 100 feet south of the Alameda Drive intersection and 100 feet north of the Alameda Street intersection.

In 2011, the City of Norman closed the intersection of 72nd Avenue N.E. and Alameda Drive in the interest of public safety. To mitigate that street closure, the City constructed Oliphant Avenue between Alameda Drive and Alameda Street. The public right-of-way for Oliphant Avenue was acquired from the owner. As a result of the acquisition, the two parcels were created. The lot with the existing store is served by water well and septic system. Lot 2 will require a private water well and septic system.

**RECOMMENDATION:** The final plat is consistent with the approved preliminary plat. Based upon the above information, Staff recommends acceptance of the public dedications, approval of the final plat and filing of the final plat.



# Location Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



September 6, 2011

0 250 500 Ft.



Subject Tract

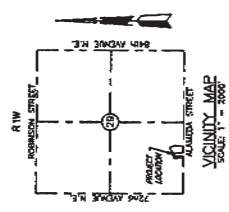
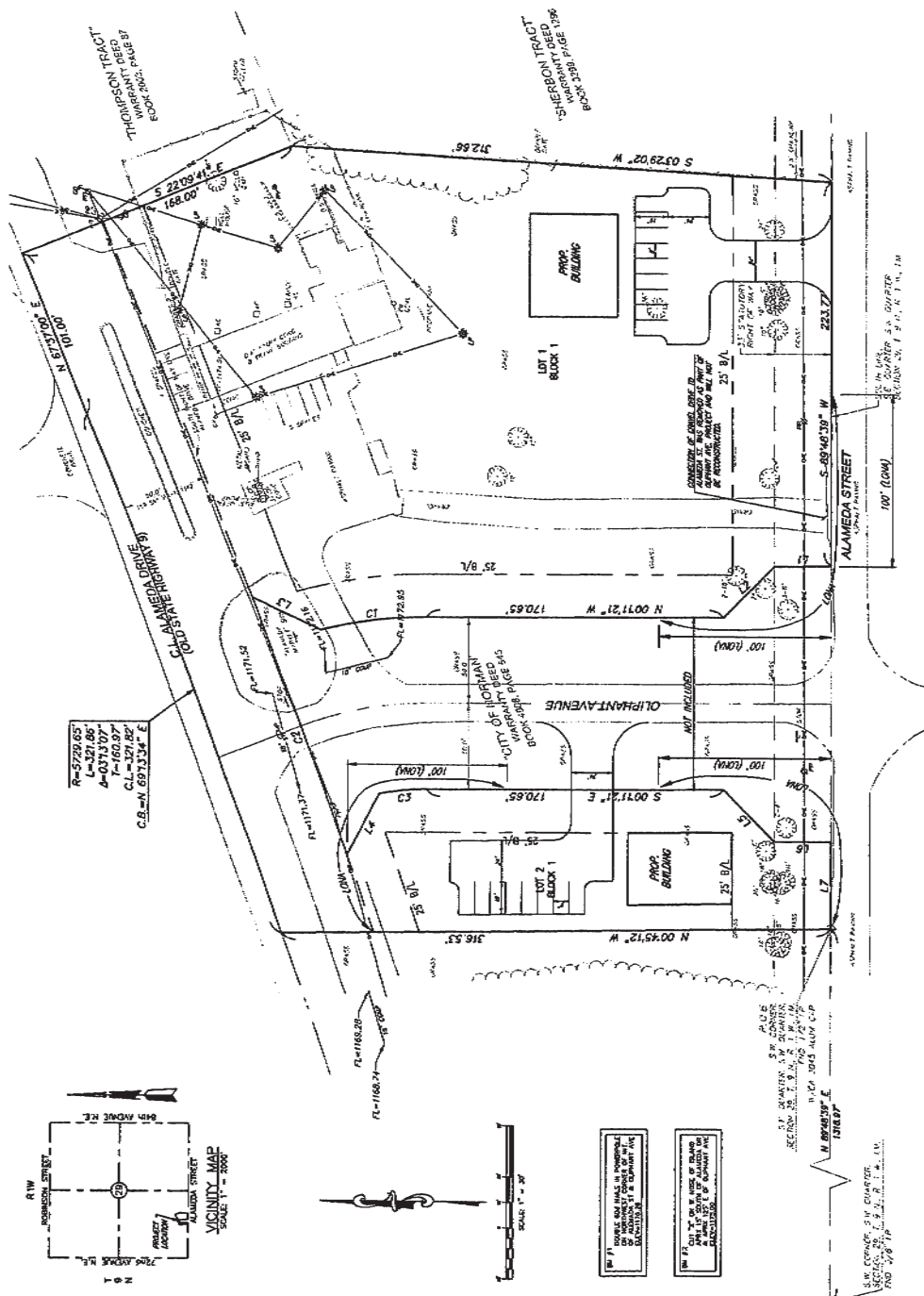


Zoning



# SITE PLAN BDL ADDITION

A PART OF THE S.W. 1/4 OF SECTION 29, T9N, R1W, I.M.  
NORMAN, CLEVELAND COUNTY, OKLAHOMA



NOTES:  
1. THE PROPOSED ADDITION IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF NORMAN ZONING ORDINANCE.  
2. THE PROPOSED ADDITION IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF NORMAN ZONING ORDINANCE.

LINE	BEARING	LENGTH
1	N 001°12' W	33.00
2	S 89°40'30" W	100.00
3	N 001°12' E	33.00
4	S 89°40'30" W	100.00
5	N 001°12' E	33.00
6	S 89°40'30" W	100.00
7	N 001°12' E	33.00
8	S 89°40'30" W	100.00

LINE	BEARING	LENGTH
1	N 001°12' W	33.00
2	S 89°40'30" W	100.00
3	N 001°12' E	33.00
4	S 89°40'30" W	100.00
5	N 001°12' E	33.00
6	S 89°40'30" W	100.00
7	N 001°12' E	33.00
8	S 89°40'30" W	100.00

SITE PLAN	
BDL ADDITION	
ALAMEDA STREET & OLIPHANT AVENUE	
NORMAN, OKLAHOMA	
SMC Consulting Engineers, P.C.	
1111 N. W. 10th St., Suite 100, Norman, OK 73061	
DATE: 07/07/13	
SCALE: 1" = 20'	
SHEET NO. 1	

OWNER'S ADDRESS  
Mr. & Mrs. J. L. Smith  
1111 N. W. 10th St.  
Norman, OK 73061

TOTAL LOTS  
1

A PART OF THE S.W. 1/4 OF SECTION 29, T9N, R1W, I.M.  
NORMAN, CLEVELAND COUNTY, OKLAHOMA

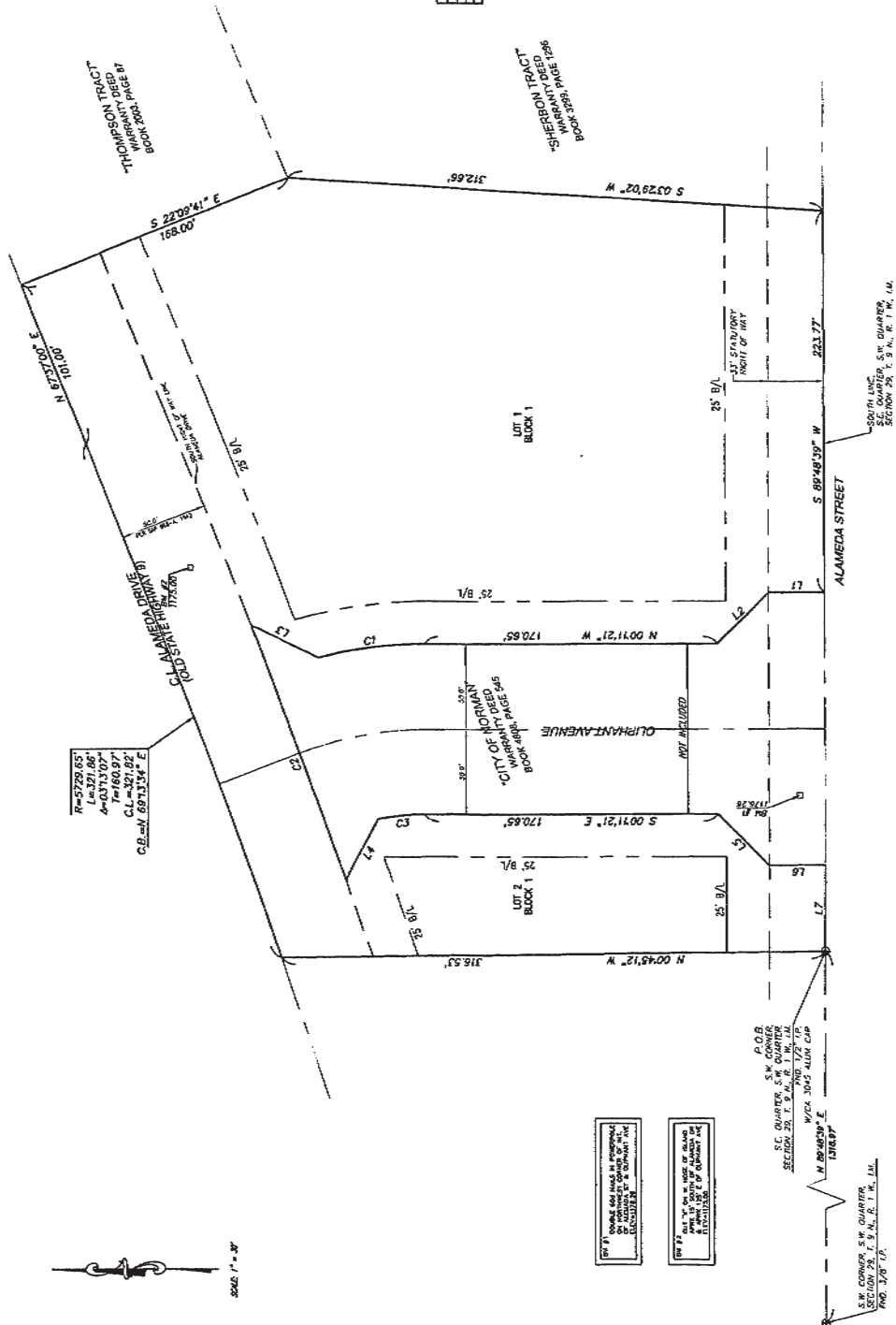


CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD LENGTH
C1	250.00'	42.16'	17°14.5"	31.24'	N 07°21.1' W	62.00'
C2	372.85'	159.01'	6°14.15"	28.51'	S 88°56.1' E	188.00'
C3	158.805'	98.80'	41°05.05"	28.51'	S 88°56.1' E	188.00'

1000

1. THE PHOTOS OF BEARING FOR THIS LOCAL DISSECTION IS THE ORIGINALLY STAGE PLATE COORDINATE SYSTEM (IMAGES BEARING TRACK) USING A BEARING OF NORTH (POINTED) EAST, ALONG THE SOUTH LINE OF THE SOUTHERN QUARTER OF THE SOUTHWEST QUARTER (T4S R4W) OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 4 WEST OF THE 10TH PRINCIPAL MERIDIAN, CLATSOP COUNTY, OREGON.
  2. EXAMINING SHOWN HEREIN BY SPOTTERS RECORDING APPROXIMATELY THE SIGHT FOR HISTORICAL PURPOSES ONLY AND ARE NOT RETURNED ACCORDANT TO THIS FINAL PAGE.
- IF UNLESS WRITTEN OTHERWISE, THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THIS FINAL PAGE IS FEET.

Order October 18, 2011  
SAC Consulting Engineers, P.C.  
815 W. Main Street  
California City, CA 93105  
EX. ADDITION  
PAGE 1414 SHEET 2 of 2



LOMA	==	LIMITS OF NO ACCESS
O/E	==	ORANGE EASEMENT
U/E	==	UTILITY EASEMENT
PEP/E	==	PEDESTRIAN EASEMENT
B/L	==	BUILDING LINE
-1000-	==	ADDRESS

---

FINAL PLAT

ITEM NO. 6

---

**STAFF REPORT**

ITEM: Consideration of a final plat for BDL ADDITION.

LOCATION: Generally located on the south side of Alameda Drive and east of 72<sup>nd</sup> Avenue S.E.

INFORMATION:

1. Owner. BDL, Inc.
2. Developer. BDL, Inc.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2 zoning classification.
2. December 12, 1961. City Council adopted Ordinance No. 1332 placing this property in the A-2 zoning classification.
3. May 18, 1965. Planning Commission, on a vote 5-0, recommended to City Council that this property be placed in C-2, general commercial and removed from A-2, rural agricultural zoning classification.
4. June 22, 1965. City Council adopted Ordinance No. 1785 placing this property in C-2 and removing it from A-2 zoning classification.
5. January 18, 1966. Planning Commission, on a vote of 9-0, recommended to City Council that this property be placed in TC, Tourist Commercial District and removed from C-2, General Commercial zoning classification.
6. February 22, 1966. City Council adopted Ordinance No. 1862, placing the property in TC, Tourist Commercial and removing it from C-2, General Commercial zoning classification.



7. November 10, 2011. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for BDL Addition be approved.
8. January 10, 2012. City Council is scheduled to consider the preliminary plat for BDL Addition. Results of that consideration will be presented separately.

IMPROVEMENT PROGRAM:

1. All public improvements are existing.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewer. There is an existing sanitary sewer system serving the existing convenience store. Any private system to serve Lot 2 will require the Oklahoma Department of Environmental Quality approval.
4. Fire Protection. The City of Norman Fire Department located across the street will provide fire protection for the facility.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.
2. Rights-of-Way. All required street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, final plat, and site plan are included in the Agenda Book.

STAFF RECOMMENDATION: At this time, the owner does not intend any additions or expansion of the existing facilities. His interest is to plat the property for any future plans that might be presented in the future. Limits of No Access have been shown on the final plat to limit the location of any proposed drive approaches. Staff recommends approval of the final plat for BDL Addition.

ACTION NEEDED: Approve or disapprove the final plat for BDL Addition to City Council.

ACTION TAKEN: \_\_\_\_\_

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**JANUARY 12, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12<sup>th</sup> day of January 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Chairman Gasaway welcomed new member Dave Boeck to the Planning Commission.

\* \* \*

Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Dave Boeck  
Cynthia Gordon  
Tom Knotts  
Chris Lewis  
Curtis McCarty  
Robertta Pailles  
Andy Sherrer  
Jim Gasaway

MEMBERS ABSENT

Diana Hartley

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*

Item No. 3, being:

**CONSENT DOCKET**

Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 4, being:

**APPROVAL OF THE DECEMBER 8, 2011 REGULAR SESSION MINUTES**

Item No. 5, being:

**FP-1112-13 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SWEETGRASS COMMUNITIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR RED CANYON RANCH ADDITION SECTION 3, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ½ MILE NORTH OF TECUMSEH ROAD AND APPROXIMATELY ½ MILE WEST OF 12<sup>TH</sup> AVENUE N.E.**

Item No. 6, being:

**FP-1112-14 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BDL, INC. (SMC CONSULTING ENGINEERS, P.C.) FOR BDL ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72<sup>ND</sup> AVENUE S.E.**

Item No. 7, being:

**FP-1112-15 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY CARRINGTON PLACE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CARRINGTON PLACE ADDITION SECTION 11, GENERALLY LOCATED ON THE WEST SIDE OF 36<sup>TH</sup> AVENUE N.W. AND APPROXIMATELY ½ MILE NORTH OF WEST TECUMSEH ROAD.**

\*

Chairman Sherrer asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

*Jim Gasaway moved to place approval of Item Nos. 4 through 7 on the Consent Docket and approve by one unanimous vote. Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Dave Boeck, Cynthia Gordon, Tom Knotts, Chris Lewis,  
Curtis McCarty, Roberta Pailles, Jim Gasaway, Andy Sherrer

NAYES

None

ABSENT

Diana Hartley

Ms. Tromble announced that the motion, to place approval of Item Nos. 4 through 7 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

\*\*\*

Item No. 6, being:

**FP-1112-14 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BDL, INC. (SMC CONSULTING ENGINEERS, P.C.) FOR BDL ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF ALAMEDA DRIVE APPROXIMATELY 1/4 MILE EAST OF 72<sup>ND</sup> AVENUE S.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Final Plat
3. Staff Report
4. Site Plan
5. Preliminary Plat

The Final Plat for BDL ADDITION, was approved on the Consent Docket by a vote of 8-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: FP-1112-5**

<b>File ID:</b> FP-1112-5	<b>Type:</b> Final Plat	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 12	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 08/15/2011
<b>File Name:</b> Bridgeview UMC Final Plat	<b>Final Action:</b>	

**Title:** CONSIDERATION OF A FINAL PLAT FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF SIDEWALK AND STREET IMPROVEMENTS ADJACENT TO INDIAN HILLS ROAD. (LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD EAST OF 48TH AVENUE N.W.)

**ACTION NEEDED:** Motion to approve or reject the final plat for Bridgeview United Methodist Church Addition and the deferral of sidewalk and street improvements adjacent to Indian Hills Road; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of \$69,356 for deferred construction within 10 days after approval and \$1,469 for a traffic impact fee, and direct the filing of the final plat.

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 12

**Attachments:** Bridgeview Location Map, Bridgeview Preliminary Plat, Site Development Plan, Bridgeview Final Plat, Staff Report - Bridgeview FP, Deferral - Bridgeview, SMC Estimate, 9-8-11 PC Minutes - Bridgeview Final Plat

**Project Manager:** Ken Danner, Subdivision Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/08/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	Planning Commission	09/08/2011					

### Text of Legislative File FP-1112-5

Body

#### **BACKGROUND:**

This item is a final plat for Bridgeview United Methodist Church Addition and is generally located on the south side of Indian Hills Road approximately 980 feet east of 48th Avenue N.W. City Council, at its meeting of April 26, 2011, adopted Ordinance No. O-1011-47 placing this property in R-1, single family residential with special use for a church zoning classification. City Council, at its meeting of April 26, 2011, approved the preliminary plat for Bridgeview United Methodist Church Addition. The church is proposing that this final plat include one (1) lot on 3.67 acres from a total of 29.26 acres.

Planning Commission, at its meeting of September 8, 2011, approved the final plat for Bridgeview United Methodist Church Addition and recommended deferral of paving and sidewalk improvements for Indian Hills Road.

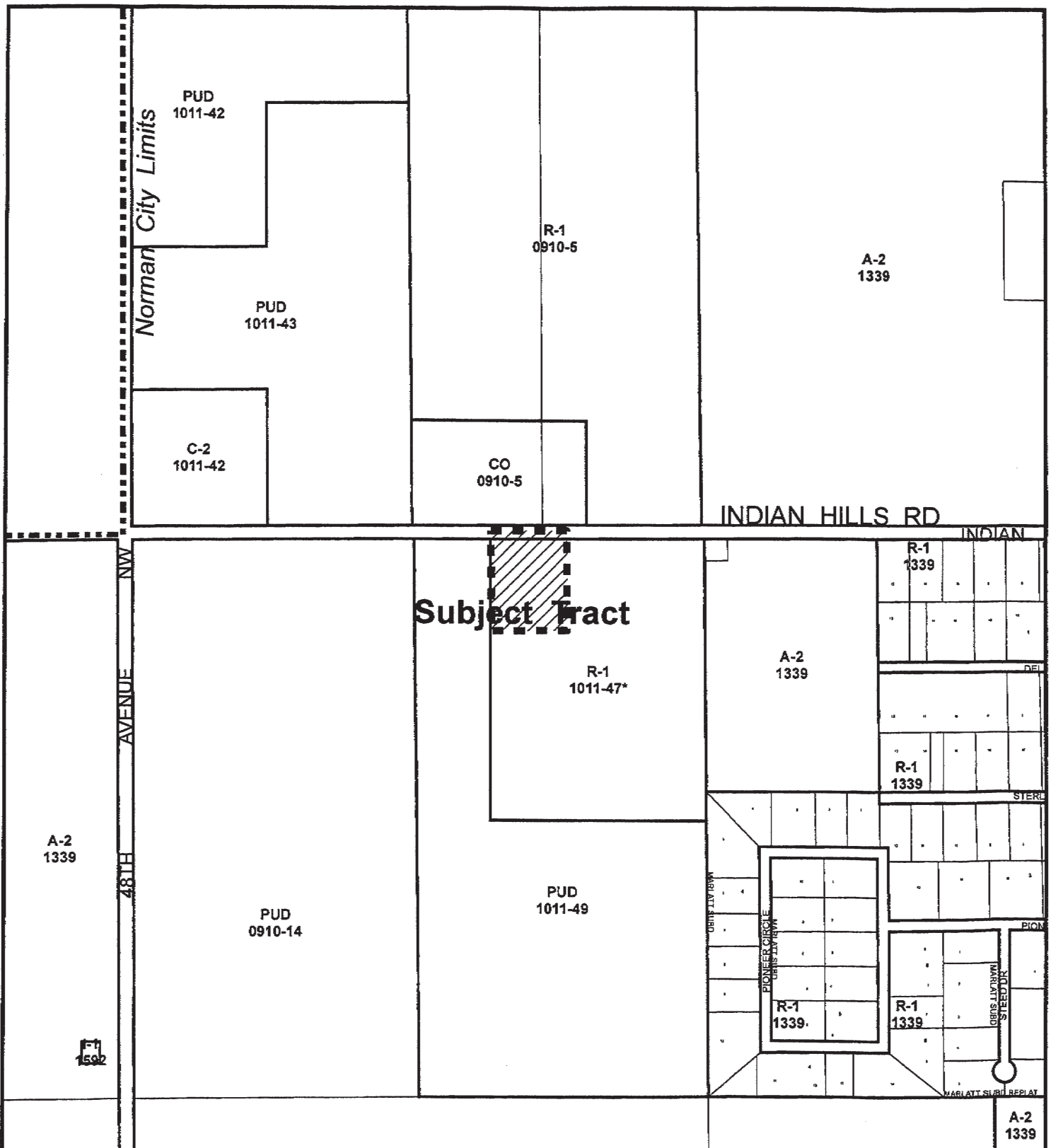
**DISCUSSION:** Construction plans have been reviewed for the required public improvements for this property. These improvements consist of sanitary sewer, water mains with fire hydrants, and storm drainage, including off plat public improvements for the above mentioned improvements.

Approximately 347 feet of Indian Hills Road will be required to be constructed to city standards as a half width arterial street. Section 19-602 B 1.2. (a)(b)(c) and (d) of the City Code establishes a method of deferring public street improvements under the following situations: (a) where incompatible grades exist; (b) where there are inadequate or a lack of connecting facilities; (c) where construction of the improvement would not immediately function for its intended use; or (d) where such improvement would be replaced by a planned future project. The developer is required to post a certificate of deposit with the City in a special account to be used with a future paving project or at such time as development occurs adjacent to the property. Staff has observed over the years that gap paving or "piecemeal" paving has been a detriment to arterial streets. There have been times over the years paving improvements have been constructed and then replaced because they did not fit in the overall design of the arterial street. Because of this short length of pavement, staff is recommending deferral until future development occurs.



Park land is not required with churches.

**STAFF RECOMMENDATIONS:** The final plat is consistent with the preliminary plat. Based on the above information, staff recommends acceptance of the public dedications, approval of the final plat and filing of the final plat subject to completion of public improvements. The City Development Committee will ensure completion of all required public improvements or bonds and will recommend that the Mayor sign the final plat and bonds and receipt of a Certificate of Deposit in the amount of \$69,356.00 for deferral of paving and sidewalks for Indian Hills Road and receipt of \$146.90 per PM peak hour trip equates to a total fee of \$1,469 for a traffic impact fee.



# Location Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



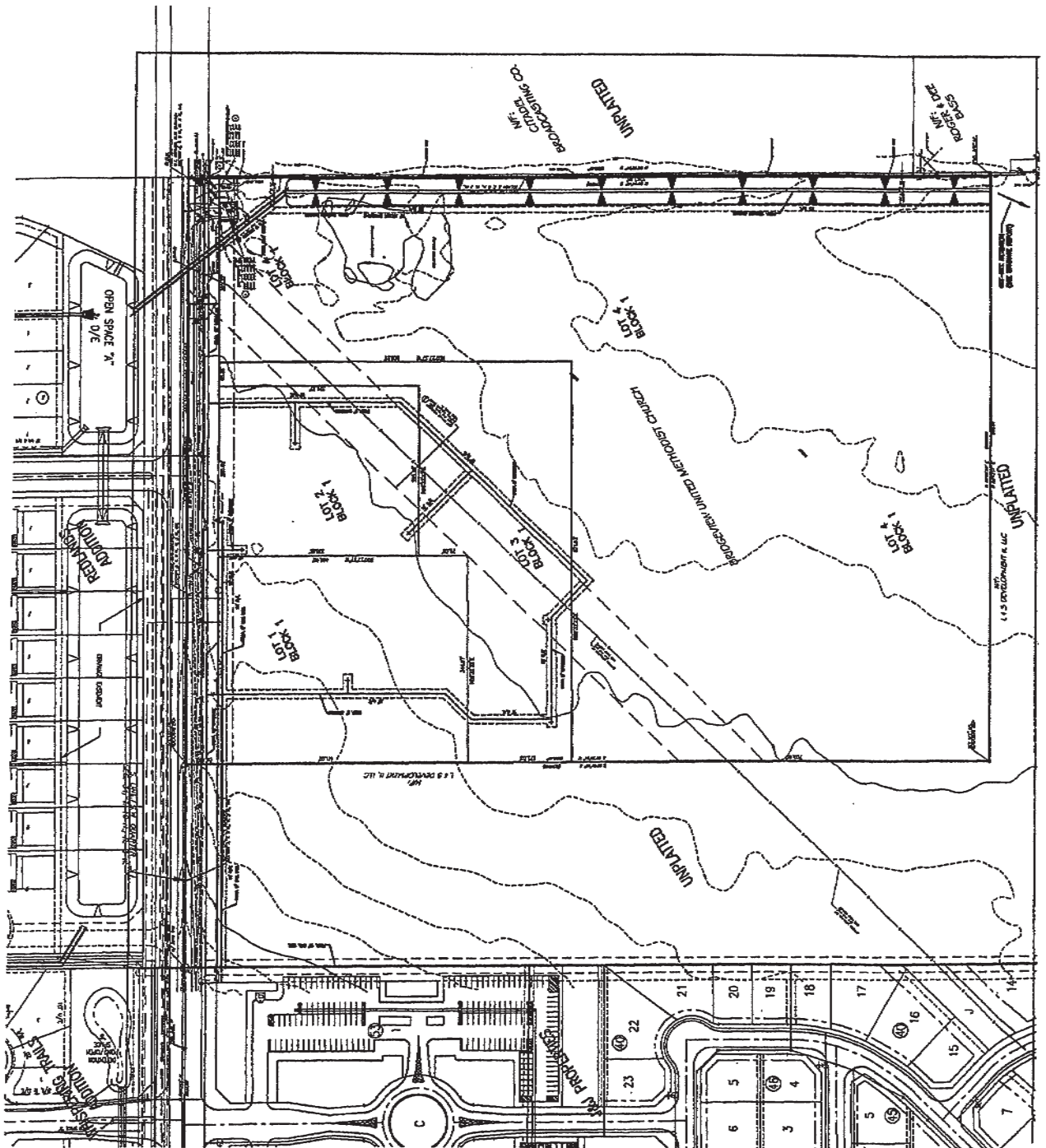
August 31, 2011

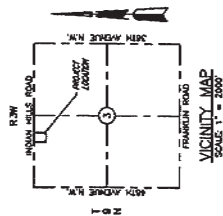
0 300 600 Ft.

Subject Tract

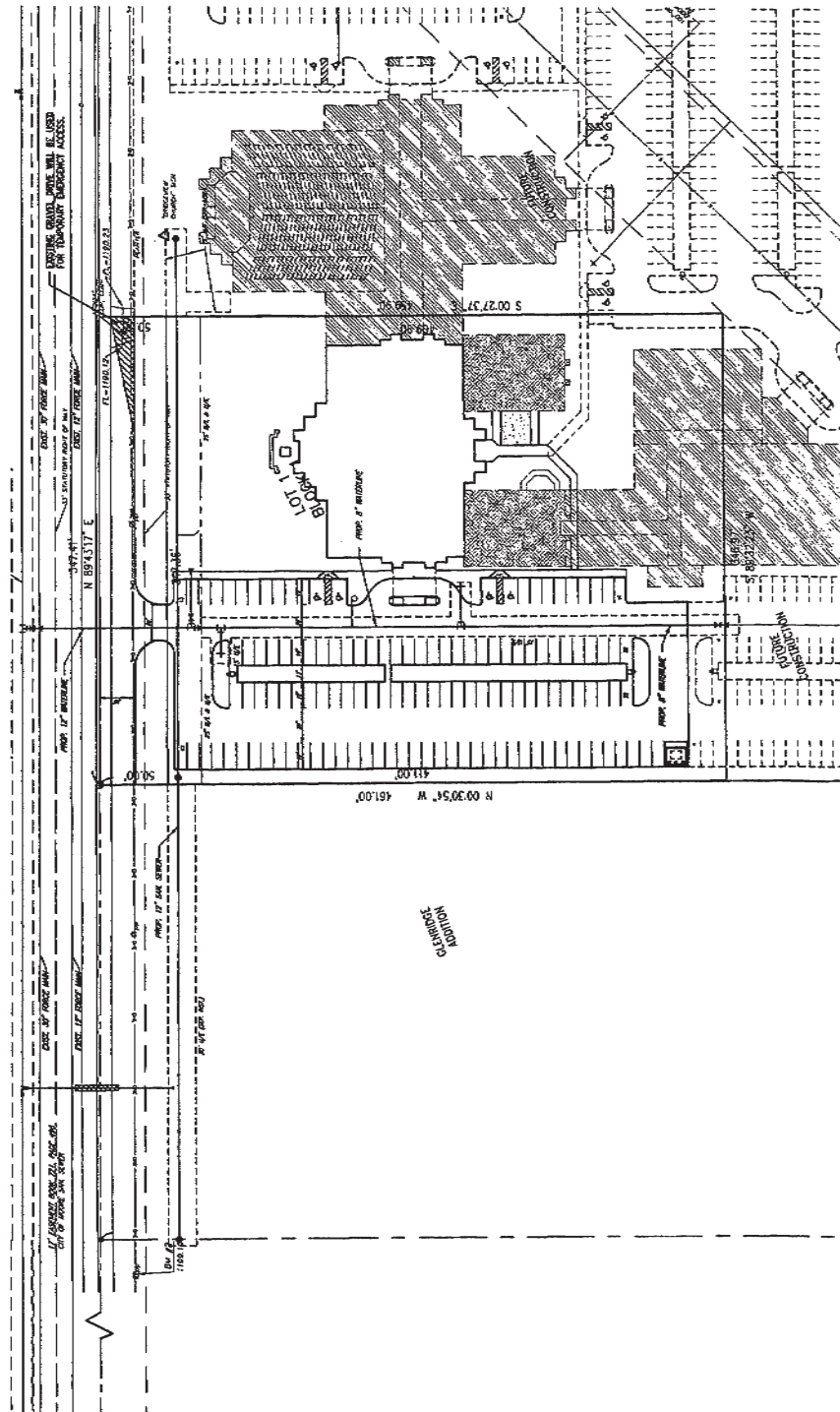
Zoning

**PRELIMINARY PLAT**  
**BRIDGEVIEW UNITED METHODIST CHURCH**  
 A PART OF THE N.W. 1/4 OF SECTION 3, T8N, R29E, L14E  
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



[illegible]

ALUMINUM - 980 95175



SITE DEVELOPMENT PLAN

BRIDGEVIEW UNITED METHODIST

CHURCH ADDITION

48th AVE. N.W. & INDIAN HILLS RD.

NORMAN, OKLAHOMA

**S.C. Consulting Engineers, P.C.**  
915 West Main - Oklahoma City, OK 73106

815 West Main - Oklahoma City, OK 73104  
 Tel: 405-232-3713 Fax: 405-232-3788  
 e-mail: [info@oklahoma.gov](mailto:info@oklahoma.gov)

[illegible][illegible]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

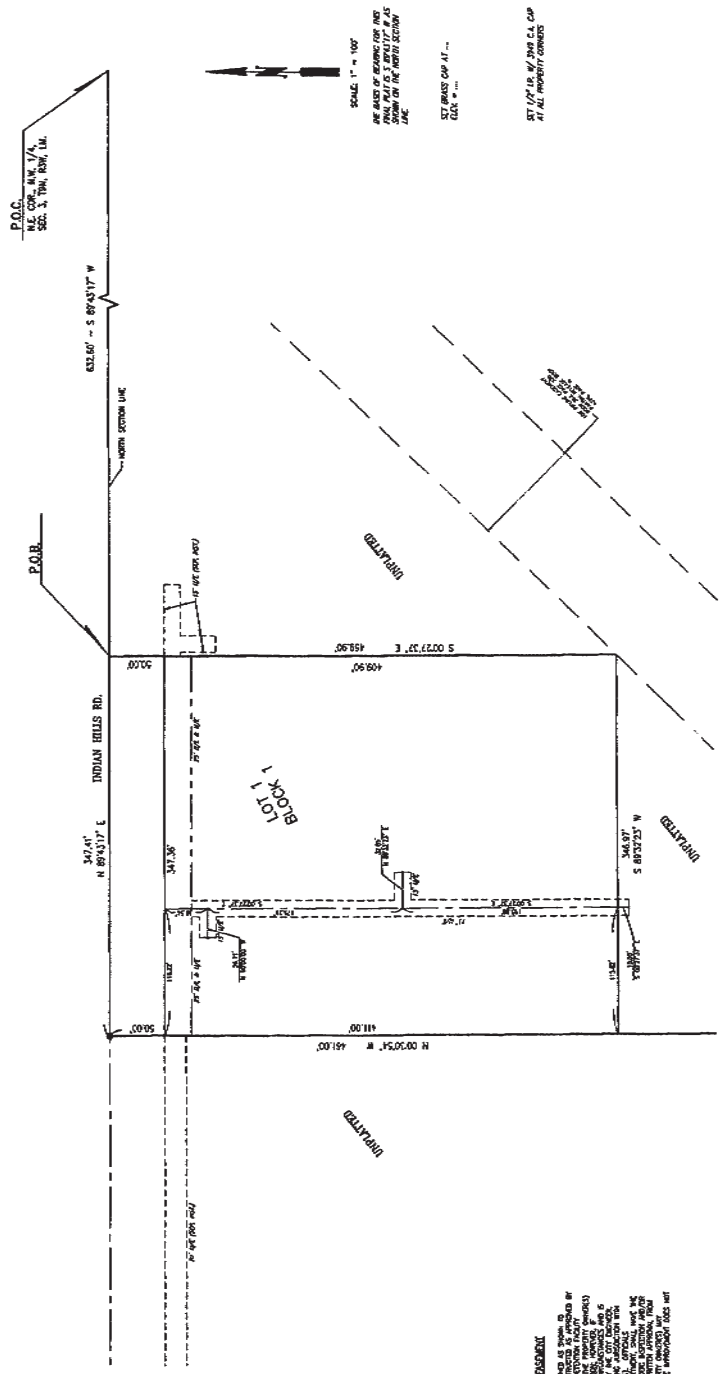
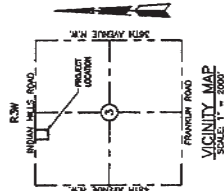
DATE	10-10-11
BY	10-10-11
REMARKS	10-10-11

1

Dr. L. M. WOODRUFF, JR., FISH

# FINAL PLAT

## BRIDGEVIEW UNITED METHODIST CHURCH ADDITION A PART OF THE N.W. 1/4 OF SECTION 3, T9N, R3W, I.M. NORMAN, CLEVELAND COUNTY, OKLAHOMA



### STORM DRAINAGE ADDITION EXHIBIT, ENDSHEET

STORM DRAINAGE ADDITION EXHIBIT, ENDSHEET  
THIS EXHIBIT IS A PART OF THE FINAL PLAT FOR THE BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, A PART OF THE N.W. 1/4 OF SECTION 3, T9N, R3W, I.M., NORMAN, CLEVELAND COUNTY, OKLAHOMA. IT SHOWS THE LOCATION OF THE PROPOSED STORM DRAINAGE SYSTEM, INCLUDING THE LOCATION OF THE DRAINAGE STRUCTURES, THE LOCATION OF THE DRAINAGE LINES, AND THE LOCATION OF THE DRAINAGE EASEMENTS. THE DRAINAGE SYSTEM IS DESIGNED TO DRAIN THE RAINFALL FROM THE CHURCH BUILDING AND THE ADJACENT LOTS, AND TO DISCHARGE THE SAME INTO THE ADJACENT WATERWAY. THE DRAINAGE SYSTEM IS DESIGNED TO BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE OKLAHOMA DEPARTMENT OF REVENUE. THE DRAINAGE SYSTEM IS DESIGNED TO BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE OKLAHOMA DEPARTMENT OF REVENUE.

LEGEND  
D/A = DRAINAGE ADDITION  
W/E = WATER EASEMENT  
V/L = VULNERABILITY  
B/L = BUILDING LINE  
A/L = ACCESS

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS FEET.

Drawn: August 20, 2011  
By: J. L. Smith  
Checked: J. L. Smith  
Reviewed: J. L. Smith  
Approved: J. L. Smith  
Bridgeview United Methodist Church Addition  
Final Plat Sheet 2 of 2

FINAL PLAT

ITEM NO. 7

---

**STAFF REPORT**

**ITEM:** Consideration of a Final Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION.

**LOCATION:** Generally located on the south side of Indian Hills Road approximately 980 feet east of 48<sup>th</sup> Avenue N.W.

**INFORMATION:**

1. Owner. Bridgeview United Methodist Church
2. Developer. Bridgeview United Methodist Church
3. Engineer. SMC Consulting Engineers, P.C.

**HISTORY:**

1. December 9, 1961. Planning Commission recommended approval of the request to place this property in A-2 zoning classification.
2. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2 zoning classification.
3. March 10, 2011. Planning Commission, on a vote of 8-0, recommended to City Council amending the NORMAN 2025 Land Use and Transportation Plan from Future Urban Service Area to Current Urban Service Area.
4. March 10, 2011. Planning Commission, on a vote of 8-0, recommended to the City Council that this property be placed in R-1 (single family residential) with special use for a church and removed from A-2 zoning classification.
5. March 10, 2011. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Bridgeview United Methodist Church Addition be approved.
6. April 26, 2011. City Council approved Resolution No. R-1011-89 amending the NORMAN 2025 Land Use and Transportation Plan to place this property in the Current Urban Service Area and removing it from Future Urban Service Area.



7. April 26, 2011. City Council adopted Ordinance No. O-1011-47 placing this property in R-1, single family residential with special use for a church and removed from A-2 zoning classification.
8. April 26, 2011. City Council approved the preliminary plat for Bridgeview United Methodist Church Addition

**IMPROVEMENT PROGRAM:**

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Sanitary sewer mains will be extended to serve this property and will be installed in accordance with approved plans and City and Department of Environmental Quality Standards.
4. Sidewalks. Sidewalks will be required adjacent to West Indian Hills Road. Staff recommends deferral of sidewalk improvements adjacent to Indian Hills Road.
5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. A temporary privately maintained detention facility located on the southern portion of the property will be utilized.
6. Streets. West Indian Hills Road will be constructed as an arterial street to City paving standards and specifications. Staff recommends deferral of paving improvements with the final plat.
7. Water Mains. A twelve inch (12") water main will be extended from 36<sup>th</sup> Avenue N.W. across the frontage of this property. Interior water lines will be installed to serve the proposed fire hydrants.

**PUBLIC DEDICATIONS:**

1. Easements. All required easements are dedicated to the City on the final plat.
2. Rights-of-Way. All street rights-of-way are dedicated to the City on the final plat.

**SUPPLEMENTAL MATERIAL:** Copies of a location map, final plat, site plan, preliminary plat and memorandum from the Director of Public Works are included in the Agenda Book.

**STAFF COMMENTS AND RECOMMENDATION:** The owners have submitted a final plat and Phase I site plan in order to build a proposed church facility. A temporary emergency access will be provided for fire protection. Its location is east of the proposed building connecting to Indian Hills Road. At such time as Indian Hills Road is constructed or further phases of the church are constructed, the temporary emergency access will be relocated to the east at the approved drive approach location.

**ACTION NEEDED:** Approve or disapprove the deferral of sidewalk and paving improvements in connection with Indian Hills Road and approve or disapprove the final plat for Bridgeview United Methodist Church Addition.

**ACTION TAKEN:** \_\_\_\_\_



# office memorandum

**Date:** August 31, 2011  
**To:** Jim Gasaway, Chairman Planning Commission  
**From:** Shawn O'Leary, Director of Public Works  
**Subject:** Request to Defer Street and Sidewalk Improvements  
Indian Hills Road-Bridgeview United Methodist Church

Bridgeview United Methodist Church is located on the south side of Indian Hills Road approximately 980 feet east of 48<sup>th</sup> Avenue N.W. As part of the required improvements, the developer would construct street improvements and sidewalks in connection with Indian Hills Road.

It is recommended that the construction of these improvements be deferred under the provisions of Section 19-602B1,2(b)(c)(d) of the City Code. My recommendation for deferral is based on the fact these improvements would not immediately function due to the lack of connecting facilities and these improvements would more than likely be replaced by a future project.

If you need additional information, please advise.

KID/pj

cc: Steve Lewis, City Manager  
Susan Connors, Director of Planning and Community Development  
Angelo Lombardo, Traffic Engineer



Your Civil Engineering Solution

Consulting Engineers, P.C.  
815 West Main  
Oklahoma City, OK 73106  
405-232-7715  
FAX 405-232-7859  
www.smcokc.com

Civil Engineering  
Land Development  
Storm Water Management

Toni L. McCaleb  
Terence L. Haynes  
Christopher D. Anderson  
Ole M. Marcussen

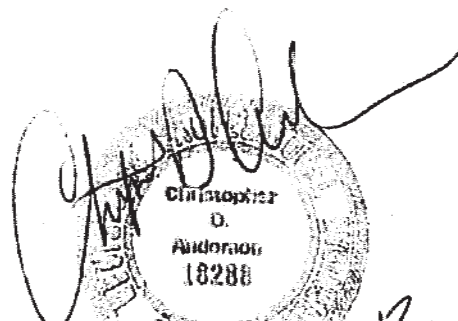
**COST OF CONSTRUCTION FOR DEFERRED PAVING AND SIDEWALK IMPROVEMENTS  
FOR INDIAN HILLS ROAD ADJACENT TO BRIDGEVIEW METHODIST CHURCH  
February 24, 2012**

Grading, Paving, & Erosion Control

<u>Item</u>	<u>Quan.</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>
2" Type S5 Asphalt	952	S.Y.	\$12.50	\$11,900.00
4" Type S3 Asphalt	952	S.Y.	\$17.50	\$16,660.00
3" Type S3 Asphalt	1062	S.Y.	\$15.00	\$15,930.00
6" Modified Subgrade	1062	S.Y.	\$5.00	\$5,310.00
8" Curb and Gutter	344	L.F.	\$15.00	\$5,160.00
5' Concrete Sidewalk	322	L.F.	\$23.00	\$7,406.00
Saw-Cut Existing Pavement	348	L.F.	\$5.00	\$1,740.00
Excavation and Grading	1	L.S.	\$2,000.00	\$2,000.00
Erosion Control	1	L.S.	\$1,000.00	\$1,000.00
Traffic Control	1	L.S.	\$1,000.00	\$1,000.00
Construction Staking	1	L.S.	\$1,250.00	\$1,250.00

**Total**

**\$69,356.00**

  
Christopher  
D.  
Anderson  
18288  
2-24-12

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**SEPTEMBER 8, 2011**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8<sup>th</sup> day of September 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Cynthia Gordon  
Diana Hartley  
Tom Knotts  
Chris Lewis  
Curtis McCarty  
Robertta Pailles  
Andy Sherrer  
Zev Trachtenberg  
Jim Gasaway

MEMBERS ABSENT

None

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current Planning  
Division  
Ken Danner, Development Coordinator  
Roné Tromble, Recording Secretary  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst  
Jane Hudson, Planner II

\* \* \*

Item No. 2, being:

**CONSENT DOCKET**

Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:

**APPROVAL OF THE AUGUST 11, 2011 REGULAR SESSION MINUTES**

Item No. 4, being:

**COS-1112-2 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY STEPHEN KYLE CANTRELL (JAMES S. YAGER) FOR LOT 3 ARMS ACRES FOR PROPERTY LOCATED AT 5601 N. BROADWAY.**

Item No. 5, being:

**FP-1112-3 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION VII, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED 250 FEET EAST OF 24<sup>TH</sup> AVENUE N.W. AND ON THE SOUTH SIDE OF CONFERENCE DRIVE.**

Item No. 6, being:

**FP-1112-4 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SHANNON O'MOORE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CAMPUS CREST, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ONE-QUARTER MILE NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE S.E.**

Item No. 7, being:

**FP-1112-5 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48<sup>TH</sup> AVENUE N.W.**

\*

Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

*Zev Trachtenberg moved to place approval of Item Nos. 3 through 7 on the Consent Docket and approve by one unanimous vote. Tom Knotts seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Cynthia Gordon, Diana Hartley, Tom Knotts, Chris Lewis,  
Curtis McCarty, Roberta Pailles, Andy Sherrer, Zev  
Trachtenberg, Jim Gasaway

NAYES

None

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 7 on the Consent Docket, passed by a vote of 9-0.

\*\*\*



Item No. 7, being:

**FP-1112-5 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48<sup>TH</sup> AVENUE N.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Final Plat
3. Staff Report
4. Staff Recommendation on Deferral of Street and Sidewalk Improvements
5. Site Development Plan
6. Preliminary Plat

The deferral of sidewalk and paving improvements in connection with Indian Hills Road and the Final Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION were approved on the Consent Docket by a vote of 9-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: FP-1112-17**

<b>File ID:</b> FP-1112-17	<b>Type:</b> Final Plat	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 13	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 01/30/2012
<b>File Name:</b> Cottages at Norman Am Final Plat		<b>Final Action:</b>
<div><p><b>Title:</b> CONSIDERATION OF AN AMENDED FINAL PLAT FOR THE COTTAGES AT NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE NORTH SIDE OF IMHOFF ROAD EAST OF CLASSEN BOULEVARD)</p><p><b>ACTION NEEDED:</b> Motion to approve or reject an amended final plat for the Cottages at Norman Addition, a Planned Unit Development; and, if approved, direct the filing of the amended final plat.</p><p><b>ACTION TAKEN:</b> _____</p></div>		

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 13

**Attachments:** Cottages at Norman Location Map, Cottages at Norman Final Plat, Cottages at Norman Am Final Plat, Cottages at Norman Am Site Dev Plan, Cottages at Norman Staff Report, 2-9-12 PC Minutes - Cottages at Norman

**Project Manager:** Ken Danner, Subdivision Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	02/09/2012					
1	Planning Commission	02/09/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
<b>Action Text:</b> Recommended for Adoption at a subsequent City Council Meeting to the City Council							

### Text of Legislative File FP-1112-17

Body

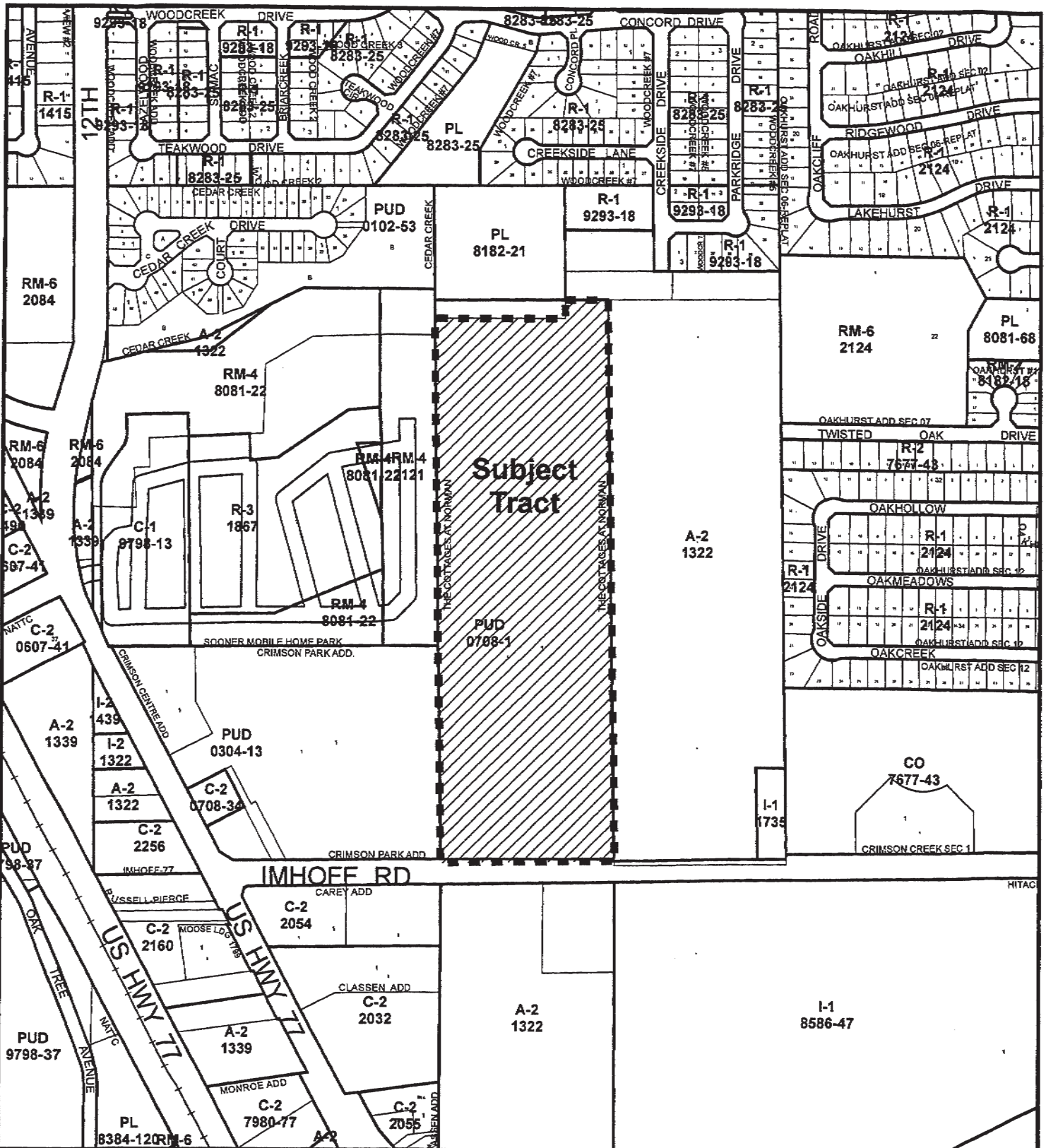
**BACKGROUND:** This item is an amended final plat for The Cottages at Norman Addition, a Planned Unit Development, and is generally located on the north side of Imhoff Road and one-quarter of a mile east of Classen Boulevard (Highway No. 77).

City Council, at its meeting of September 11, 2007, adopted Ordinance No. O-0708-1 placing this property in the Planned Unit Development (PUD) and removing it from A-2 zoning classification. In addition, City Council approved the preliminary plat for The Cottages at Norman Addition, a Planned Unit Development. Planning Commission, on February 14, 2008, approved the final plat for The Cottages at Norman Addition, a Planned Unit Development. City Council, at its meeting of July 22, 2008, approved the final plat for The Cottages at Norman Addition, a Planned Unit Development.

Concurrent construction was approved for this project by the Development Committee on July 11, 2008. All of the required public improvements were accepted in phases by the Development Committee on August 26 and November 4, 2008 and June 23, 2009. The final plat was filed of record with the Cleveland County Clerk June 8, 2009. Planning Commission, at its meeting of February 9, 2012, approved the amended final plat for The Cottages at Norman Addition, a Planned Unit Development.

**DISCUSSION:** Public improvements are existing and accepted. Park land requirements have been fulfilled. The oil well is an issue regarding the financing or refinancing of the residential property. As a result, the owners desire to amend the final plat to place the oil well in a separate lot.

**RECOMMENDATION:** Based upon the above information, Staff recommends approval of the amended final plat and the filing of the amended final plat.



# Location Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



February 2, 2012

0 250 500 Ft.

 Subject Tract  
 Zoning

AMENDED FINAL PLAT

ITEM NO. 6

---

**STAFF REPORT**

**ITEM:** Consideration of an AMENDED FINAL PLAT FOR THE COTTAGES AT NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT.

**LOCATION:** Generally located on the north side of Imhoff Road and one-quarter of a mile east of Classen Boulevard (Highway No. 77).

**INFORMATION:**

1. Owner. Capstone Development Corporation
2. Developer. Capstone Development Corporation
3. Engineer. SMC Consulting Engineers, P.C.

**HISTORY:**

1. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2 zoning classification.
2. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2 zoning classification.
3. April 12, 2007. Planning Commission, on a vote of 7-0, recommended amending the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Medium Density Residential Designation.
4. May 22, 2007. City Council postponed the request to amend the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Medium Density Residential Designation.
5. July 5, 2007. The Norman Board of Parks Commissioners, on a vote of 5-0, recommended parkland requirements with a proposed utility easement also designated as a pedestrian easement.

6. July 12, 2007. Planning Commission, on a vote of 7-0-1, recommended to the City Council that this property be placed in PUD, a Planned Unit Development, and removed from A-2 zoning classification.
7. July 12, 2007. Planning Commission, on a vote of 7-0-1, recommended to the City Council that the preliminary plat for The Cottages at Norman Addition, a Planned Unit Development be approved
8. September 11, 2007. City Council adopted Ordinance No. O-0708-1 placing this property in Planned Unit Development and removing it from A-2 zoning classification.
9. September 11, 2007. City Council approved the preliminary plat for The Cottages at Norman Addition, a Planned Unit Development.
10. February 14, 2008. Planning Commission, on a vote of 8-0, approved the final plat for The Cottages at Norman Addition, A Planned Unit Development.
11. July 22, 2008. City Council approved the final plat for The Cottages at Norman Addition, a Planned Unit Development.
12. July 11, 2008. Development Committee accepted subdivision Bond No. B-0809-6 securing water, sanitary sewer, paving and sidewalk improvements.
13. August 26, 2008. Development Committee accepted water improvements for Phase 1 for The Cottages at Norman Addition, a Planned Unit Development.
14. November 4, 2008. Development Committee accepted the remainder of the water improvements.
15. June 8, 2009. The final plat for The Cottages at Norman, a Planned Unit Development was filed of record with the Cleveland County Clerk.
16. June 23, 2009. Development Committee accepted sanitary sewer and paving improvements for The Cottages at Norman Addition, a Planned Unit Development.

**IMPROVEMENT PROGRAM:**

1. All public improvements are existing.



**PUBLIC DEDICATIONS:**

1. Easements. All required easements have been dedicated.
2. Rights-of-Way. All required street rights-of-way have been dedicated.

**SUPPLEMENTAL MATERIAL:** Copies of a location map, site plan, final plat and amended final plat are included in the Agenda Book.

**STAFF COMMENTS AND RECOMMENDATION:** The purpose of the amended final plat is to create two (2) lots for financing purposes. Lot 1 contains the project and Lot 2 contains the oil well and access. Staff recommends approval of the amended final plat for The Cottages at Norman Addition, A Planned Unit Development.

**ACTION NEEDED:** Approve or disapprove the amended final plat for The Cottages at Norman Addition, a Planned Unit Development.

**ACTION TAKEN:** \_\_\_\_\_

**FINAL PLAT**

LEGAL DESCRIPTION

**Only used on the JXND17 series, never on the**

NOTE: THE LIMIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAN IS FEET.

VICINITY MAP

10.18 P 2037 IC  
06.09 04.22 10.22  
11.04 5.30-2037  
00 44 16 AM  
10.18 P 2037 IC

[illegible]

W/E - JURY ELECTION  
D/L - BUILDING UNIT  
CONGRESS - 1981

Date: May 10, 2009  
SMC Consulting Engineers, P.  
815 W. Main Street  
Oklahoma City, OK 73104  
THE COTTAGES AT NORMAN  
A PLANNED UNIT DEVELOPMENT  
GENERAL PLAY SHEET 2 of 2

THE COTTAGES AT NORMAN  
A PLANNED UNIT DEVELOPMENT  
FINAL PLAN SHEET 2 of 2

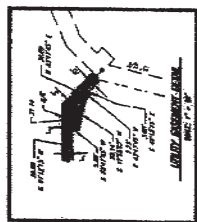


THE  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

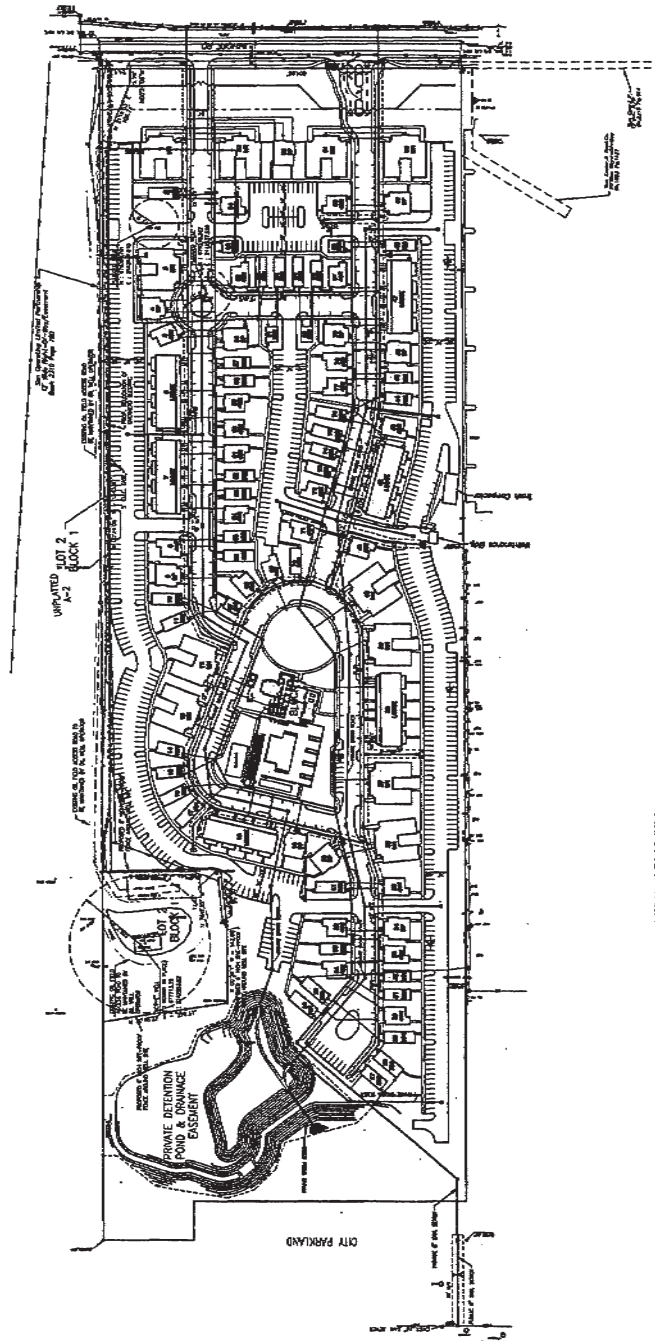
ST 1774 SHALL HAVE PRECEDENCE OF ALL OTHER MATTERS AND BUSINESS OF THE SENATE.

CLARK'S LP. 8/ CA 2445 OF  
AT ALL PROPERTY COMPES.

RECORDED 71 SET BRASS CLO  
OF STONE SET 17 NORTH  
IN SQUARES PROPERTY CORNER  
D.T. 6 11-0-81



DATE: 10/1/2008

[illegible]

**ENGINEER:**  
SAC CONSULTING ENGINEERS, P.C.  
815 W. MAIN  
OKLAHOMA CITY, OKLAHOMA 73106  
(405)232-7715

**OWNER / DEVELOPER:**  
CAPSTONE DEVELOPMENT  
431 OFFICE PARK DRIVE  
BIRMINGHAM, ALABAMA 35223  
(205)414-8400

TOP OF MAG MAIL  
CL. REPORT  
S.W. CROSBY OF MINNEAPOLIS  
P. 1100-30

AMENDED FINAL SITE  
DEVELOPMENT PLAN

THE COTTAGES AT NORMAN  
A PLANNED UNIT DEVELOPMENT

BRIDGEMAN ROAD, & 12th AVE. S.E.  
NORMAN, OKLAHOMA

C Consulting Engineers, P.C.



**C.C. Consulting Engineers, P.C.**

10000 Wilshire Blvd., Suite 1000  
Beverly Hills, CA 90210  
Tel: (310) 277-0000  
Fax: (310) 277-0001  
www.ccc-engineers.com

**SMC**  
Atj Mill Mfrs - ~~Chattanooga~~ Co., G. 73104  
PM 402-332-770 Fax 402-332-3429

DATE	By	Date
OFFICE OF SUPERVISOR AND SA 944 E. 4TH ST. RM. 1117		

[illegible][illegible]

1-1-19	10/16	2017 MA
10/16		

1	1" = 100'
---	-----------

1000

Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%



**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 9, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

\* \* \*

Item No. 1, being:  
**ROLL CALL**

**MEMBERS PRESENT**

Dave Boeck  
Cynthia Gordon  
Diana Hartley  
Chris Lewis  
Curtis McCarty  
Roberta Paites  
Andy Sherrer

**MEMBERS ABSENT**

Jim Gasaway  
Tom Knotts

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Kosciński, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*

Item No. 2, being:

**CONSENT DOCKET**

Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 3, being:

**APPROVAL OF THE JANUARY 12, 2012 REGULAR SESSION MINUTES**

Item No. 4, being:

**SFP-1112-1 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY WIDGEON, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR HOUCHINS ADDITION, LOCATED AT 2320 BEVERLY HILLS STREET.**

Item No. 5, being:

**FP-1112-16 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UTC AREA SIX, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION VIII, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED EAST OF 24<sup>TH</sup> AVENUE N.W. AND NORTH AND SOUTH OF MOUNT WILLIAMS DRIVE.**

Item No. 6, being:

**FP-1112-17 – CONSIDERATION OF AN AMENDED FINAL PLAT SUBMITTED BY CAPSTONE DEVELOPMENT (SMC CONSULTING ENGINEERS, P.C.) FOR THE COTTAGES AT NORMAN, GENERALLY LOCATED ON THE NORTH SIDE OF IMHOFF ROAD APPROXIMATELY 1,319 LINEAL FEET EAST OF CLASSEN BOULEVARD.**

\*

Chairman Sherrer asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

*Diana Hartley moved to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote. Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailles, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Jim Gasaway, Tom Knotts

Ms. Tromble announced that the motion, to place approval of Item Nos. 4 through 7 on the Consent Docket and approve by one unanimous vote, passed by a vote of 7-0.

\*\*\*



Item No. 6, being:

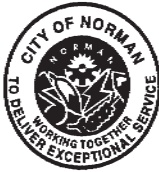
**FP-1112-17 – CONSIDERATION OF AN AMENDED FINAL PLAT SUBMITTED BY CAPSTONE DEVELOPMENT (SMC CONSULTING ENGINEERS, P.C.) FOR THE COTTAGES AT NORMAN, GENERALLY LOCATED ON THE NORTH SIDE OF IMHOFF ROAD APPROXIMATELY 1,319 LINEAL FEET EAST OF CLASSEN BOULEVARD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Amended Final Plat
3. Staff Report
4. Amended Site Development Plan
5. Final Plat

The Amended Final Plat for THE COTTAGES AT NORMAN was approved on the Consent Docket by a vote of 7-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: FP-0910-10**

<b>File ID:</b> FP-0910-10	<b>Type:</b> Final Plat	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 14	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 06/01/2010
<b>File Name:</b> Final Plat Summit Lakes, Section 8		<b>Final Action:</b>
<p><b>Title:</b> CONSIDERATION OF A FINAL PLAT FOR SUMMIT LAKES ADDITION, SECTION 8, (REAPPROVAL) AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED SOUTH OF ALAMEDA STREET AND EAST OF 24TH AVENUE S.E.)</p> <p><b>ACTION NEEDED:</b> Motion to approve or reject the final plat for Summit Lakes Addition, Section 8; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final plat.</p> <p><b>ACTION TAKEN:</b> _____</p>		

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 14

**Attachments:** Location Map, Prelim Plat-Summit Lakes, Final Plat-Summit Lakes, Staff Report, PC Minutes

**Project Manager:** Ken Danner, Subdivision Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/10/2010					
1	Planning Commission	06/10/2010	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
<b>Action Text:</b> Recommended for Adoption at a subsequent City Council Meeting to the City Council							

**Text of Legislative File FP-0910-10**

Body

**BACKGROUND:** This item is a final plat for Summit Lakes Addition, Section 8, and is generally located one-half mile south of Alameda Street and one-half mile east of 24th Avenue S.E. This property consists of 12.36 acres and 40 single-family lots that will leave approximately 208 lots to be platted in the future in the remainder of Summit Lakes Addition.

City Council, at its meeting of June 10, 1997, adopted Ordinance No. O-9697-46 placing this property in the R-1, single family dwelling district.

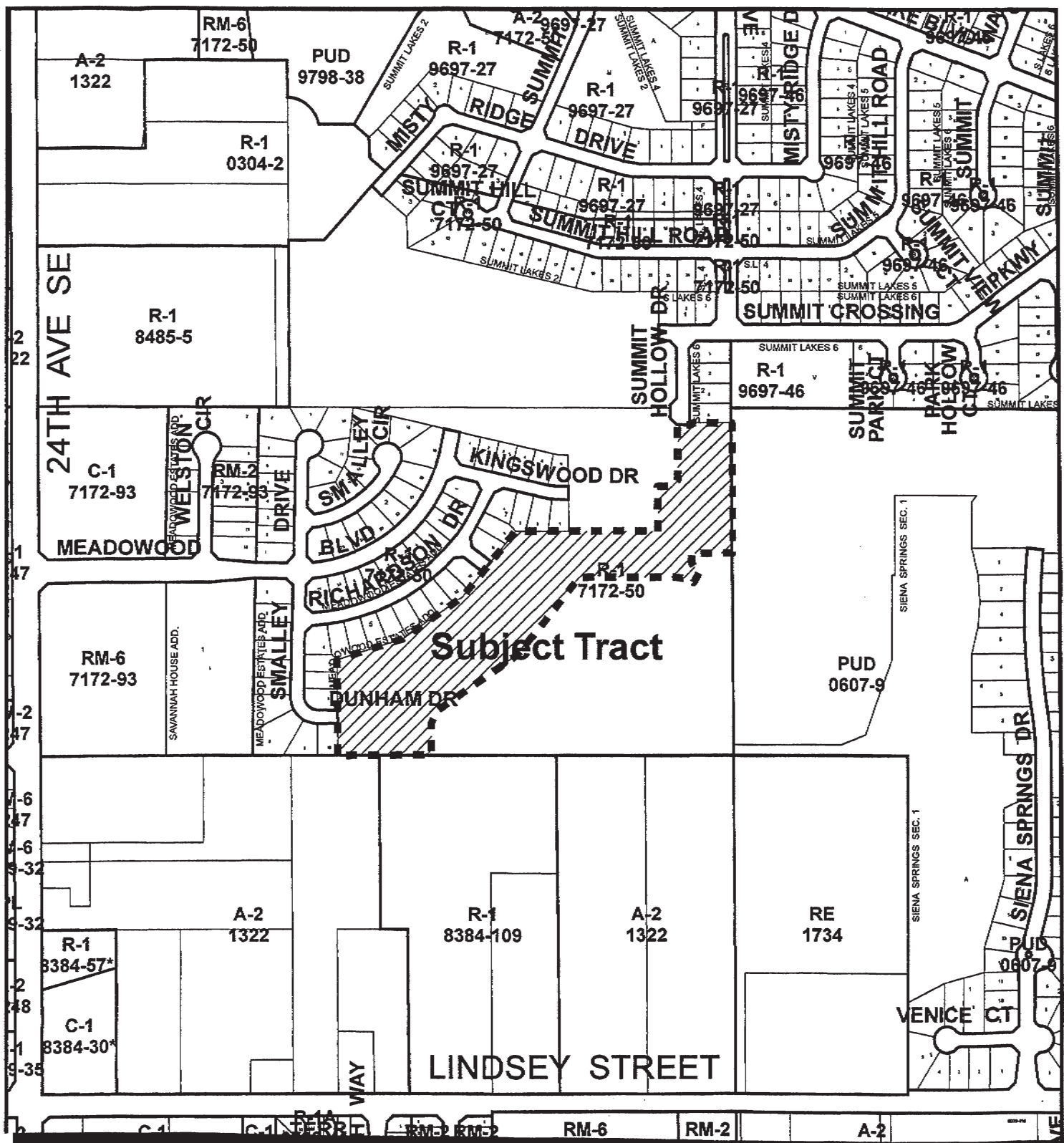
City Council, at its meeting of April 27, 2010, approved the preliminary plat for Summit Lakes Addition. Planning Commission, at its meeting of June 10, 2010, approved the final plat for Summit Lakes Addition, Section. 8.

**DISCUSSION:** Construction plans have been reviewed for the required public improvements for this property. These improvements consist of sidewalks, water mains with fire hydrants, storm drainage and street improvements.

Park land requirements have been fulfilled. The owner/developer has previously submitted a warranty deed for the park land.

It should be noted this property has a plugged oil well between Lots 6 and 7, Block 5. The owner/developer has increased the size of the lots to accommodate for the plugged well.

**RECOMMENDATION:** Based upon the above information and that the final plat is consistent with the preliminary plat, staff recommends approval of the final plat, acceptance of the public dedications contained therein and authorizing of the Mayor to sign the final plat, subdivision bond/cash sureties and maintenance bonds for Summit Lakes Addition, Section 8, subject to the City Development Committee's acceptance of the public improvements.



# **FINAL PLAT - SUMMIT LAKES ADDITION, SECTION 8 (Reapproval)**

OWNER/DEVELOPER: Summit Lakes, L.L.C.  
ENGINEER: Clour Planning & Engineering Services, L.L.C.



## TRIAL DISCUSSION

[illegible][illegible]

1. The amount of the cash payment for the purchase of the property is \$100,000.

THESE INDICATIONS OF A POSSIBLE RELATIONSHIP BETWEEN THE USE OF A CRYSTALLINE POLYMER AND THE OCCURRENCE OF A CRYSTALLINE POLYMER IN THE POLYMERIZATION OF ACRYLONITRILE IN THE PRESENCE OF A CRYSTALLINE POLYMER ARE NOT CONCLUSIVE. THE POLYMERIZATION OF ACRYLONITRILE IN THE PRESENCE OF A CRYSTALLINE POLYMER IS A COMPLEX PROCESS, AND THE POLYMERIZATION OF ACRYLONITRILE IN THE PRESENCE OF A CRYSTALLINE POLYMER IS A COMPLEX PROCESS, AND THE POLYMERIZATION OF ACRYLONITRILE IN THE PRESENCE OF A CRYSTALLINE POLYMER IS A COMPLEX PROCESS.

Denver  
Hummel Sales, L.L.C.,  
1801 Brookhaven Way,  
Boulder, CO 80501-1000

Developer: **David L. Loh**  
1200 Southview II-4  
St. Louis, MO 63114

Engineers: Phil Cherry, P.E., L.B.  
400 Westlinder Court

400 Mainline Court  
Norman, Oklahoma 73062



**VICINITY MAP**

our latest - 2<sup>nd</sup>

PHIL CLOUR, P.E., L.S.

REAPPROVAL PRELIMINARY PLAT  
SUMMIT LAKEPS ADDITION

MAKING A PART OF SECTION 54 TAKEN BY THE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

Since Blocks A thru D are areas that will be owned and controlled by the **MAJORITY** properly formed Association.

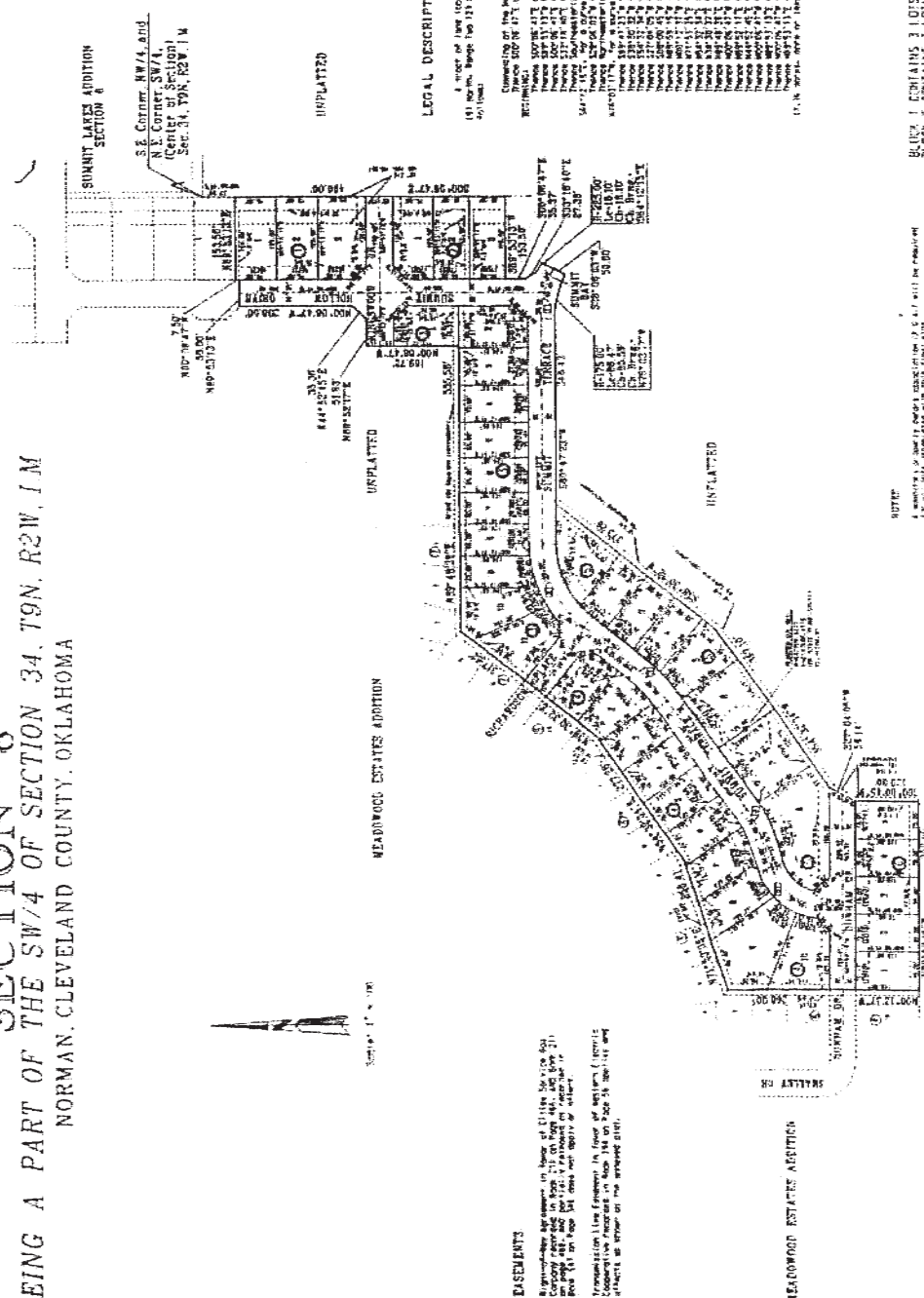
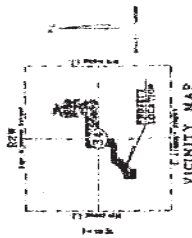
A plugged and capped oil well (dip) was located in this area. It was plugged in September, 1932.

**EXISTING  
DETENTION  
AREA**

**NOTE:** Sufficiency is demonstrated by comparison with the language of the 11th of August 1944 and with the 11th of September 1944.

BEING A PART OF THE SW 1/4 OF SECTION 34, T9N, R2W, 1M  
NORMAN, CLEVELAND COUNTY, OKLAHOMA

NORMAN, CLEVELAND COUNTY, OKLAHOMA



**LEGAL DESCRIPTION**

8. Foot of line (coarse in the west half 1872) of Section thirty-five (35), Township nine (9) north, Range two (2) east of the Indian Meridian, Harney, Cleveland County, Oklahoma, together as 40' (total).

[illegible]

14499	81.12	40	80000	10	100	1.00	M 2.15	80000
14498	11.25	40	80000	10	100	1.10	30.205	80000
14497	05.55	40	80000	10	100	1.10	16.443	80000

There is a distance of 10.10 feet between the two points.

are 0.0-0.1 mm, or less than distance of 96.47 feet.  
Energy 58.43 J/m<sup>2</sup> at a distance of 346.43 ft from  
source 438.2 m; 22 m at a distance of 175.76 ft.

Three 55.77 34.40 a distance of 56.10 feet  
Three 37.80 57.42 a distance of 58.14 feet  
Three 35.00 60.45 a distance of 60.45 feet

Year	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

Month	Year	Distance	Speed	Time	Cost	Notes
Jan	1971	100	100	100	100	
Feb	1971	100	100	100	100	
Mar	1971	100	100	100	100	
Apr	1971	100	100	100	100	
May	1971	100	100	100	100	
Jun	1971	100	100	100	100	
Jul	1971	100	100	100	100	
Aug	1971	100	100	100	100	
Sep	1971	100	100	100	100	
Oct	1971	100	100	100	100	
Nov	1971	100	100	100	100	
Dec	1971	100	100	100	100	
Jan	1972	100	100	100	100	
Feb	1972	100	100	100	100	
Mar	1972	100	100	100	100	
Apr	1972	100	100	100	100	
May	1972	100	100	100	100	
Jun	1972	100	100	100	100	
Jul	1972	100	100	100	100	
Aug	1972	100	100	100	100	
Sep	1972	100	100	100	100	
Oct	1972	100	100	100	100	
Nov	1972	100	100	100	100	
Dec	1972	100	100	100	100	
Jan	1973	100	100	100	100	
Feb	1973	100	100	100	100	
Mar	1973	100	100	100	100	
Apr	1973	100	100	100	100	
May	1973	100	100	100	100	
Jun	1973	100	100	100	100	
Jul	1973	100	100	100	100	
Aug	1973	100	100	100	100	
Sep	1973	100	100	100	100	
Oct	1973	100	100	100	100	
Nov	1973	100	100	100	100	
Dec	1973	100	100	100	100	
Jan	1974	100	100	100	100	
Feb	1974	100	100	100	100	
Mar	1974	100	100	100	100	
Apr	1974	100	100	100	100	
May	1974	100	100	100	100	
Jun	1974	100	100	100	100	
Jul	1974	100	100	100	100	
Aug	1974	100	100	100	100	
Sep	1974	100	100	100	100	
Oct	1974	100	100	100	100	
Nov	1974	100	100	100	100	
Dec	1974	100	100	100	100	
Jan	1975	100	100	100	100	
Feb	1975	100	100	100	100	
Mar	1975	100	100	100	100	
Apr	1975	100	100	100	100	
May	1975	100	100	100	100	
Jun	1975	100	100	100	100	
Jul	1975	100	100	100	100	
Aug	1975	100	100	100	100	
Sep	1975	100	100	100	100	
Oct	1975	100	100	100	100	
Nov	1975	100	100	100	100	
Dec	1975	100	100	100	100	
Jan	1976	100	100	100	100	
Feb	1976	100	100	100	100	

France	867,900	100	W	Per	a distance of	199.2	miles
France	869,500	112	E	Per	a distance of	51.53	miles
France	869,500	45	E	Per	a distance of	25.36	miles
Tunisia	869,500	100	W	Per	a distance of	208.50	miles

[illegible]

17. 16. 1994. 1994. 1994.

CONTENTS 3103

2 CONTAINS 1 LOT  
3 CONTAINS 1 LOT

**PLANNING**  
**Clear Planning & Engineering Services**

WID. \$101.14 1/2

SECTION M  
UNIT: 6 PART OF THE EAST END OF LINDSAY & NORTH  
MOUNTAIN RD. WILSON TWP. BRITISH COLUMBIA CANADA

[illegible]

1010-5101-1-4-7  
 5107 5 SNIAW 9 ADU78  
 5107 6 SNIAW 5 ADU78  
 5107 01 SNIAW 4 ADU78  
 5107 11 SNIAW 3 ADU78  
 5107 3 SNIAW 2 ADU78  
 5107 3 SNIAW 1 ADU78

12/27/20

1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation

Decreases the requirements of a blood test and allows any male to join the U.S. Army. (S. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913,

Wells & Associates  
11100 17th Avenue, Suite 100  
Denver, CO 80202  
Tel: 303.733.1111  
Fax: 303.733.1112

1988 (12) 1065-1070  
 1989 (13) 1065-1070  
 1990 (14) 1065-1070  
 1991 (15) 1065-1070  
 1992 (16) 1065-1070  
 1993 (17) 1065-1070  
 1994 (18) 1065-1070  
 1995 (19) 1065-1070  
 1996 (20) 1065-1070  
 1997 (21) 1065-1070  
 1998 (22) 1065-1070  
 1999 (23) 1065-1070  
 2000 (24) 1065-1070  
 2001 (25) 1065-1070  
 2002 (26) 1065-1070  
 2003 (27) 1065-1070  
 2004 (28) 1065-1070  
 2005 (29) 1065-1070  
 2006 (30) 1065-1070  
 2007 (31) 1065-1070  
 2008 (32) 1065-1070  
 2009 (33) 1065-1070  
 2010 (34) 1065-1070  
 2011 (35) 1065-1070  
 2012 (36) 1065-1070  
 2013 (37) 1065-1070  
 2014 (38) 1065-1070  
 2015 (39) 1065-1070  
 2016 (40) 1065-1070  
 2017 (41) 1065-1070  
 2018 (42) 1065-1070  
 2019 (43) 1065-1070  
 2020 (44) 1065-1070  
 2021 (45) 1065-1070  
 2022 (46) 1065-1070  
 2023 (47) 1065-1070  
 2024 (48) 1065-1070  
 2025 (49) 1065-1070  
 2026 (50) 1065-1070  
 2027 (51) 1065-1070  
 2028 (52) 1065-1070  
 2029 (53) 1065-1070  
 2030 (54) 1065-1070  
 2031 (55) 1065-1070  
 2032 (56) 1065-1070  
 2033 (57) 1065-1070  
 2034 (58) 1065-1070  
 2035 (59) 1065-1070  
 2036 (60) 1065-1070  
 2037 (61) 1065-1070  
 2038 (62) 1065-1070  
 2039 (63) 1065-1070  
 2040 (64) 1065-1070  
 2041 (65) 1065-1070  
 2042 (66) 1065-1070  
 2043 (67) 1065-1070  
 2044 (68) 1065-1070  
 2045 (69) 1065-1070  
 2046 (70) 1065-1070  
 2047 (71) 1065-1070  
 2048 (72) 1065-1070  
 2049 (73) 1065-1070  
 2050 (74) 1065-1070  
 2051 (75) 1065-1070  
 2052 (76) 1065-1070  
 2053 (77) 1065-1070  
 2054 (78) 1065-1070  
 2055 (79) 1065-1070  
 2056 (80) 1065-1070  
 2057 (81) 1065-1070  
 2058 (82) 1065-1070  
 2059 (83) 1065-1070  
 2060 (84) 1065-1070  
 2061 (85) 1065-1070  
 2062 (86) 1065-1070  
 2063 (87) 1065-1070  
 2064 (88) 1065-1070  
 2065 (89) 1065-1070  
 2066 (90) 1065-1070  
 2067 (91) 1065-1070  
 2068 (92) 1065-1070  
 2069 (93) 1065-1070  
 2070 (94) 1065-1070  
 2071 (95) 1065-1070  
 2072 (96) 1065-1070  
 2073 (97) 1065-1070  
 2074 (98) 1065-1070  
 2075 (99) 1065-1070  
 2076 (100) 1065-1070  
 2077 (101) 1065-1070  
 2078 (102) 1065-1070  
 2079 (103) 1065-1070  
 2080 (104) 1065-1070  
 2081 (105) 1065-1070  
 2082 (106) 1065-1070  
 2083 (107) 1065-1070  
 2084 (108) 1065-1070  
 2085 (109) 1065-1070  
 2086 (110) 1065-1070  
 2087 (111) 1065-1070  
 2088 (112) 1065-1070  
 2089 (113) 1065-1070  
 2090 (114) 1065-1070  
 2091 (115) 1065-1070  
 2092 (116) 1065-1070  
 2093 (117) 1065-1070  
 2094 (118) 1065-1070  
 2095 (119) 1065-1070  
 2096 (120) 1065-1070  
 2097 (121) 1065-1070  
 2098 (122) 1065-1070  
 2099 (123) 1065-1070  
 2100 (124) 1065-1070  
 2101 (125) 1065-1070  
 2102 (126) 1065-1070  
 2103 (127) 1065-1070  
 2104 (128) 1065-1070  
 2105 (129) 1065-1070  
 2106 (130) 1065-1070  
 2107 (131) 1065-1070  
 2108 (132) 1065-1070  
 2109 (133) 1065-1070  
 2110 (134) 1065-1070  
 2111 (135) 1065-1070  
 2112 (136) 1065-1070  
 2113 (137) 1065-1070  
 2114 (138) 1065-1070  
 2115 (139) 1065-1070  
 2116 (140) 1065-1070  
 2117 (141) 1065-1070  
 2118 (142) 1065-1070  
 2119 (143) 1065-1070  
 2120 (144) 1065-1070  
 2121 (145) 1065-1070  
 2122 (146) 1065-1070  
 2123 (147) 1065-1070  
 2124 (148) 1065-1070  
 2125 (149) 1065-1070  
 2126 (150) 1065-1070  
 2127 (151) 1065-1070  
 2128 (152) 1065-1070  
 2129 (153) 1065-1070  
 2130 (154) 1065-1070  
 2131 (155) 1065-1070  
 2132 (156) 1065-1070  
 2133 (157) 1065-1070  
 2134 (158) 1065-1070  
 2135 (159) 1065-1070  
 2136 (160) 1065-1070  
 2137 (161) 1065-1070  
 2138 (162) 1065-1070  
 2139 (163) 1065-1070  
 2140 (164) 1065-1070  
 2141 (165) 1065-1070  
 2142 (166) 1065-1070  
 2143 (167) 1065-1070  
 2144 (168) 1065-1070  
 2145 (169) 1065-1070  
 2146 (170) 1065-1070  
 2147 (171) 1065-1070  
 2148 (172) 1065-1070  
 2149 (173) 1065-1070  
 2150 (174) 1065-1070  
 2151 (175) 1065-1070  
 2152 (176) 1065-1070  
 2153 (177) 1065-1070  
 2154 (178) 1065-1070  
 2155 (179) 1065-1070  
 2156 (180) 1065-1070  
 2157 (181) 1065-1070  
 2158 (182) 1065-1070  
 2159 (183) 1065-1070  
 2160 (184) 1065-1070  
 2161 (185) 1065-1070  
 2162 (1

*(continued)*

BENCH MARK

6-10 55118 41319 1000  
1012 2007 2008 2009 2010  
1012 2007 2008 2009 2010

$$x_1 = 1.34, 2.49$$



---

FINAL PLAT

ITEM NO. 4

---

**STAFF REPORT**

**ITEM:** Consideration of a Final Plat for SUMMIT LAKES ADDITION, SECTION 8 (REAPPROVAL).

**LOCATION:** Generally located approximately one-half mile east of 24<sup>th</sup> Avenue SE and one-half mile south of Alameda Street.

**INFORMATION:**

1. Owner. Summit Lakes, L.L.C.
2. Developer. Summit Lakes, L.L.C.
3. Engineer. CPES: Clour Planning & Engineering Services

**HISTORY:**

1. March 13, 1977. Planning Commission, on a vote of 7-0, recommended to City Council that Land Use Plan Amendment No. CP-9697-2 be approved.
2. March 25, 1977. City Council approved Land Use Plan Amendment No. CP-9697-2, amending the property from Tier 3 to Tier 2 designation.
3. April 10, 1997. Planning Commission, on a vote of 8-0, postponed a request for rezoning and consideration of a preliminary plat for Summit Lakes.
4. May 1, 1997. The Norman Board of Park Commissioners recommended park land for the revised preliminary plat for Summit Lakes Addition.
5. May 8, 1997. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in R-1 and removed from A-2 zoning classification.
6. May 8, 1997. Planning Commission, on a vote of 8-0, approved the revised preliminary plat for Summit Lakes Addition.

**HISTORY (con't):**

7. June 10, 1997. City Council adopted Ordinance No. O-9697-46 placing this property in the R-1 and removing it from the A-2 zoning classification.
8. May 13, 1999. Planning Commission, on a vote of 6-0, approved the revised preliminary plat for Summit Lakes Addition.
9. July 10, 2003. Planning Commission, on a vote of 7-0, recommended to City Council that the revised preliminary plat for Summit Lakes Addition be approved.
10. August 26, 2003. City Council approved the revised preliminary plat for Summit Lakes Addition.
11. September 9, 2004. Planning Commission, on a vote of 7-0, approved the final plat for Summit Lakes Addition, Section 8.
12. September 27, 2005. City Council approved the final plat for Summit Lakes Addition, Section 8.
13. September 9, 2006. The approvals of the final plat for Summit Lakes Addition, Section 8, became null and void.
14. March 13, 2008. Planning Commission, on a vote of 8 0, approved the final plat for Summit Lakes Addition, Section 8.
15. March 11, 2010. Planning Commission, on a vote of 9-0, recommended to City Council that the preliminary plat (reapproval) for Summit Lakes Addition be approved.
16. March 13, 2010. The approval of the final plat for Summit Lakes Addition, Section 8 became null an void.
17. April 27, 2010. City Council approved the preliminary plat (reapproval) for Summit Lakes Addition.

**IMPROVEMENT PROGRAM:**

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

**IMPROVEMENT PROGRAM (con't):**

3. Sanitary Sewers. Sanitary sewer mains have been installed in accordance with approved plans and City and State Department of Environmental Quality standards.
4. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy.
5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Drainage will be conveyed to a privately maintained detention pond off site. The detention/retention facility is held in common by the Property Owner's Association.
6. Streets. Streets will be constructed in accordance with approved plans and City paving standards.
7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

**PUBLIC DEDICATIONS:**

1. Easements. All required easements are dedicated to the City on the final plat.
2. Rights-of-Way. Street rights-of-way are dedicated to the City on the final plat.
3. Park Land. Park land requirements have been fulfilled.

**SUPPLEMENTAL MATERIAL:** Copies of a location map, preliminary plat and final plat are included in the Agenda Book.

**STAFF COMMENTS AND RECOMMENDATION:** This final plat consists of 40 single-family residential lots. It is consistent with the approved preliminary plat. There is a plugged oil well between Lots 6 and 7, Block 5. The owner/developer has increased the size of the lots to accommodate the plugged well.

**ACTION NEEDED:** Recommend approval or disapproval of the final plat for Summit Lakes Addition, Section 8, to City Council.

**ACTION TAKEN:** \_\_\_\_\_

Item No. 2, being:

**CONSENT DOCKET**

Vice Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He noted that staff has recommended indefinite postponement of Item Nos. 9 and 10 and they can be added to the Consent Docket. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:

**APPROVAL OF THE MAY 13, 2010 REGULAR SESSION MINUTES**

Item No. 4, being:

**CONSIDERATION OF A FINAL PLAT SUBMITTED BY SUMMIT LAKES, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES, L.L.C.) FOR SUMMIT LAKES ADDITION, SECTION 8 (REAPPROVAL), GENERALLY LOCATED 0.66 MILES SOUTH OF EAST ALAMEDA STREET AND 0.34 MILES EAST OF 24<sup>TH</sup> AVENUE S.E.**

Item No. 5, being:

**CONSIDERATION OF A FINAL PLAT SUBMITTED BY SKS1, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW ADDITION, SECTION 1 (REAPPROVAL), GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 2,000 FEET SOUTH OF WEST TECUMSEH ROAD.**

Item No. 6, being:

**CONSIDERATION OF A FINAL PLAT SUBMITTED BY SOUTHWEST CAPITAL GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW ADDITION, SECTION 2 (REAPPROVAL), GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 2,000 FEET SOUTH OF WEST TECUMSEH ROAD.**

Item No. 7, being:

**CONSIDERATION OF A FINAL PLAT SUBMITTED BY SOUTHWEST CAPITAL GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW ADDITION, SECTION 3 (REAPPROVAL), GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 2,000 FEET SOUTH OF WEST TECUMSEH ROAD.**

Item No. 9, being:

**CONSIDERATION OF A REQUEST SUBMITTED BY WESTPOINT DEVELOPERS, L.L.C. FOR A TRACT OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 1,320 FEET EAST OF 48<sup>TH</sup> AVENUE N.W.**

**9A. RESOLUTION NO. LURP-0910-1 – WESTPOINT DEVELOPERS, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-0910-9) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA ON PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 1,320 FEET EAST OF 48<sup>TH</sup> AVENUE N.W.**

**9B. ORDINANCE NO. ZO-0910-5 – WESTPOINT DEVELOPERS, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO R-1, SINGLE FAMILY DWELLING DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 1,320 FEET EAST OF 48<sup>TH</sup> AVENUE N.W.**

**9C. CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY WESTPOINT DEVELOPERS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR REDLANDS, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 1,320 FEET EAST OF 48<sup>TH</sup> AVENUE N.W.**

Item No. 10, being:

**ORDINANCE NO. ZO-0910-3 – KHOURI & JAZZAR PROPERTIES, L.L.C., REQUEST CLOSURE OF THE ALLEY EASEMENT ALONG THE NORTHWEST AND NORTHEAST PROPERTY LINES OF LOT 1A, BLOCK 1, STATE UNIVERSITY ADDITION (715 MONNETT AVENUE).**

\*

Vice Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked whether anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

*Chris Lewis moved to place approval of Item Nos. 3 and 4, and the indefinite postponement of Item Nos. 5, 6, 7, 9 and 10, on the Consent Docket and approve by one unanimous vote. Diana Hartley seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Diana Hartley, Tom Knotts, Chris Lewis, Curtis McCarty, Andy Sherrer, Jim Gasaway
NAYES	None
MEMBERS ABSENT	Paul Minnis, Roberta Pales, Zev Trachtenberg

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 and 4, and the indefinite postponement of Item Nos. 5, 6, 7, 9 and 10, on the Consent Docket and approve by one unanimous vote, passed by a vote of 6-0.

\* \* \*

Item No. 4, being:

**CONSIDERATION OF A FINAL PLAT SUBMITTED BY SUMMIT LAKES, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES, L.L.C.) FOR SUMMIT LAKES ADDITION, SECTION 8 (REAPPROVAL), GENERALLY LOCATED 0.66 MILES SOUTH OF EAST ALAMEDA STREET AND 0.34 MILES EAST OF 24<sup>TH</sup> AVENUE S.E.**

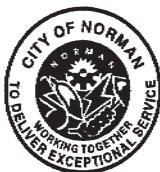
**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Final Plat
3. Staff Report
4. Preliminary Plat

This item was approved on the Consent Docket by a vote of 6-0.

\* \* \*





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

File Number: LL-1112-10

<b>File ID:</b> LL-1112-10	<b>Type:</b> Limited License	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 15	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 02/28/2012
<b>File Name:</b> Limited License May Fair		<b>Final Action:</b>
<p><b>Title:</b> <u>LIMITED LICENSE NO. LL-1112-10:</u> LIMITED LICENSE TO PLACE THIRTEEN (13) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE ASSISTANCE LEAGUE OF NORMAN FOR THE MAY FAIR ARTS FESTIVAL TO BE HELD SATURDAY, MAY 5, 2012.</p> <p>ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-10 to place thirteen (13) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman; and, if approved, authorize the issuance thereof.</p> <p>ACTION TAKEN: _____</p>		

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 15

**Attachments:** Limited License, May Fair application, May Fair Arts Festival Locations

**Project Manager:** Wayne Stenis, Planner II

**Entered by:** Ellen.Usry@NormanOK.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File LL-1112-10

Body

**BACKGROUND:** Section 18-308 states:

**Festival or Public Event Banners.**

*Signs announcing specific events or promotions that are of a legitimate public benefit to the community at large may be erected within the public right-of-way when authorized by a limited license granted by the City Council. The size, number, type, and wording of such signs must be specified in the license, as well as their location and duration of use. Because of their unique location within the public right-of-way, such banners may not be placed so as to interfere with legitimate traffic and safety concerns.*

**DISCUSSION:** The Assistance League of Norman, a 501(c)(3) organization, has requested placement of thirteen (13) ground signs at intersections around the community to advertise the May Fair Art Festival, a public festival. The signs will be used from April 1 through May 6, 2012. The event will be held May 5, 2012, at Andrews Park.

A copy of the application, with the specified locations, is attached for reference. Some of the proposed locations include rights-of-way of highways (SH9, SH77/12th Avenue East and Interstate 35), which are under the authority of the State. At these locations, staff recommends that the signs be placed only in the local street rights-of-way.

**RECOMMENDATION:** The locations are acceptable and will not impact any designated sight triangles or traffic safety if properly placed. Staff has prepared the license in accordance with their request, and presents it to the Council for consideration. Additional conditions may be attached by Council. Other than the stipulated time frame and placement, staff has not suggested any other conditions, and does not oppose granting this limited license.

**LIMITED LICENSE TO PLACE THIRTEEN (13) GROUND  
BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY  
PURSUANT TO A REQUEST FROM THE ASSISTANCE  
LEAGUE OF NORMAN FOR THE MAY FAIR ARTS  
FESTIVAL TO BE HELD AT ANDREWS PARK ON  
MAY 5, 2012.**

An Application has been filed by the Assistance League of Norman for a Limited License to place thirteen (13) ground banners within the public rights-of-way pursuant to Section 18-308 of Chapter 18 of the Code of Ordinances, which Application is hereby granted pursuant to the conditions and limitations as set forth in said Application.

Special conditions for the granting of this limited license by the City Council are as follows:

Strict compliance with all the conditions set forth in the application filed herein with regard to description, location, duration, and wording as specified in the application which is incorporated herein and made a part hereof

License limited to a period of thirty-six (36) days from April 1 through May 6, 2012.

Any special conditions which may be imposed by the City Council.

Further, any breach of the conditions as above set forth shall be grounds for immediate revocation of this license and further that the City Council may revoke this limited license at will and for any cause whatsoever upon the giving of thirty (30) days notice authorized by the City Council to the application.

Approved this 13th day of March, 2012.

CITY OF NORMAN

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPLICATION FOR LIMITED LICENSE  
FOR FESTIVAL OR PUBLIC EVENT BANNER OR SIGN

Date March 1, 2012

Name of Applicant Assistance League of Norman – contact person, Melanie Ridgway

Address 809 Wall Street Telephone Number 321-9400

Number of Banners/Signs 13 banners

Location of Banners (If list is lengthy you may attach separate sheet or map)

See Attached

Banner Size 4' x 8'

Type of Banner Vinyl reinforced with 12" spacing on grommets

Wording of Banner, May Fair Arts Festival, May 5, Andrews Park with Assistance League Logo on  
most and small business logos on some.

Duration of Use April 1 through May 6

Because of their unique location within the public right-of-way, such banners shall not be placed so as to interfere with legitimate traffic and safety concerns.

Additionally, these are intended to be of benefit to the community at large and not private commercial advertising, although they may contain a sponsor's identification on a minor portion of the sign.

**2012 APPLICATION**  
**FOR PLACEMENT OF MAY FAIR STREET BANNERS**

**May Fair Arts Festival**  
**May 5, 2012**  
**Andrews Park Norman**

**Locations:**

1. 24th Avenue NW and Main - southeast corner
2. I-35 and Robinson - North side of Robinson west of access road.
3. I-35 and Main - 400 feet west of Ed Noble Parkway.
4. 36th and Tecumseh - NW of SW corner
5. Rock Creek and Flood - East side of Flood
6. Lindsey and 24th SW – NE of SW corner.
7. Jenkins and Highway 9 - SE corner
8. 12th and Robinson - opposite Lakecrest Drive. R-O-W adjacent to Griffin Park.
9. Jenkins and Constitution - NE corner
10. Northeast corner of Lions Park at Symmes and Flood.
11. East of Robinson and 24th Avenue N.W. – south side of Robinson.
12. North corner of 12th Avenue S.E. and Classen.
13. Northwest corner of Tecumseh Road and 24th Avenue N.W.

May Fair Arts Festival is sponsored by Assistance League® of Norman.



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: SC-1112-7**

<b>File ID:</b> SC-1112-7	<b>Type:</b> Special Claim	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 16	<b>In Control:</b> City Council
<b>Department:</b> Legal Department	<b>Cost:</b> \$3,329.60	<b>File Created:</b> 02/21/2012
<b>File Name:</b> Special Claim AT&T	<b>Final Action:</b>	

**Title:** SPECIAL CLAIM NO. SC-1112-7: A CLAIM IN THE AMOUNT OF \$3,329.60 SUBMITTED BY SOUTHWESTERN BELL TELEPHONE D/B/A AT&T FOR DAMAGES TO A TELEPHONE CABLE BY A STORMWATER MAINTENANCE CREW DURING EXCAVATION AT THE SOUTHWEST CORNER OF DELLA STREET AND 36TH AVENUE N.W.

**ACTION NEEDED:** Motion to approve or reject Special Claim No. SC-1112-7; and, if approved, direct payment in the amount of \$3,329.60 contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone d/b/a AT&T.

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 16

**Attachments:** Staff Memo - First, AT&T Notice of Claim, 2nd Staff Memo - AT&T, Claim for damages AT&T

**Project Manager:** Jeanne Snider, Assistant City Attorney

**Entered by:** jayme.rowe@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File SC-1112-7

Body

**BACKGROUND:** A claim has been filed by Southwestern Bell Telephone d/b/a AT&T in the amount of \$3,329.60 for damages caused to one of their cables due to their claim that on July 27, 2011, City employees damaged the cable while digging a ditch for a drainage project near the southwest corner of Della Street and 36th Avenue NW.



**DISCUSSION:** This claim was investigated by Greg Hall, Street Superintendent, who indicates that the City's Storm Water Roadside Maintenance crew was performing ditch excavation and shaping of the shoulders in the area of the southwest corner of Della Street and 36th Avenue NW on the date in question. While the crew was unaware damage was done to a cable at the time, it is likely from the date, location and time described by AT&T, that the excavation crew did damage the cable.

As indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The damages claimed by Southwestern Bell Telephone d/b/a AT&T in the amount of \$3,329.60 are reasonable.

**RECOMMENDATION:** Based upon possible negligence in this case, it is the recommendation of the City Attorney's Office that the claim of Southwestern Bell Telephone d/b/a AT&T in the amount of \$3,329.60 be approved.



DATE: August 17, 2011

TO: Shawn O'Leary, Director of Public Works  
Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

BH  
EU

SUBJECT: Claim from Southwestern Bell Telephone Company d/b/a AT&T  
Oklahoma

I am in receipt of a claim from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma for damages incurred to a telephone cable allegedly damaged on July 27, 2011, when City employees were cleaning out a drainage culvert 100 feet south of Della Street on 36th Avenue N.W. The amount is not yet determined and will be submitted at a later date.

Shawn, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, I am forwarding the claim to your office. If further action is needed from my office, please advise.

smr  
attachment

office memorandum

# TORT CLAIM VOUCHER

SBC Claim # SWBT-04-201108-04-0012

NORMAN, CITY OF

TODAY'S DATE: August 12, 2011

CLAIMANT: SOUTHWESTERN BELL TELEPHONE dba as AT&T OKLAHOMA  
909 CHESTNUT, 39-N-13  
ST. LOUIS, MO 63101-3099  
1-800-894-0374

DATE OF DAMAGES: Jul 27, 2011

LOCATION OF DAMAGES: SW CORNER DELLA ST AND 36TH AVE NW, NORMAN, OK

MANNER IN WHICH DAMAGE OCCURRED: CITY OF NORMAN CLEANING OUT BAR DITCH.  
APPROXIMATELY 100' S OF DELLA ST ON THE WEST SIDE OF 36 AVENUE NW. CITY CREW CUT AT&T'S  
CABLE

ITEMS DAMAGED: BURIED CABLE DAMAGE-200 Pair

VALUE OR COST OF REPAIR: (BILL IS FORTHCOMING UNDER SEPARATE COVER.)

TOTAL AMOUNT CLAIMED: UNDETERMINED AT THIS TIME

NORMAN, CITY OF USA )  
COUNTY OF CLEVELAND ) S.S.  
STATE OF )

Southwestern Bell Telephone Company, d/b/a AT&T Oklahoma being duly sworn, says on its oath that the within  
and foregoing claim of damages is correct and that the damage actually occurred; and that the amount claimed  
is reasonable and that no part thereof has been previously paid..

Signature

*Scott White*

Subscribed and sworn to before me this 15 day of August  
2011

*Bradley W Bettis*  
NOTARY PUBLIC

My Commission Expires:

My Commission Number:

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8/17/11

BRADLEY W BETTIS  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Jefferson County  
My Commission Expires: June 06, 2012  
Commission Number: 08480694



Special Claim  
(AT&T)

DATE: October 24, 2011

TO: Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

BH

SUBJECT: Claim from Southwestern Bell Telephone Company d/b/a AT&T  
Oklahoma

I am in receipt of a claim from Southwestern Bell Telephone Company, d/b/a AT&T Oklahoma, in the amount of \$3,329.60 for damages incurred to a telephone cable located at the southwest corner of Della Street and 36th Avenue N.W. due to their claim that the cable was allegedly damaged on July 27, 2011, when City employees were digging a ditch for a drainage project. A claim in an undetermined amount was filed on August 17, 2011.

Jeff, I am forwarding the claim to your office. If further action is needed from my office, please advise.

BH:smr

attachment

cy: Shawn O'Leary, Director of Public Works

office memorandum



## Claim for Damages

To:  
NORMAN, CITY OF  
CITY CLERK  
201 W GRAY  
NORMAN, OK 73069

Claim Number: SWBT-04-201108-04-0012-JET

Charges for Damages to:  
SOUTHWESTERN BELL TEL CO., DBA AT&T OKLAHOMA

Occured/Discovered On or About: 07/27/2011

Approximate Location:  
SW CORNER DELLA ST AND 36TH AVE NW, NORMAN, OK

How Damage Occured:  
CITY OF NORMAN CLEANING OUT BAR DITCH.  
APPROXIMATELY 100' S OF DELLA ST ON THE WEST SIDE  
OF 36 AVENUE NW. CITY CREW CUT AT&T'S CABLE

### Summary of Charges

The following amounts include direct and indirect costs covering repair of this damage including but not limited to personnel, equipment and vehicles. These include the labor, contractor, material, loss of service and other miscellaneous costs

LABOR COST	\$1,567.62
MATERIALS/UNIT COST ITEMS	\$356.73
CONTRACTOR	\$1,053.50
LOSS OF SERVICE	\$351.75
<b>TOTAL AMOUNT DUE:</b>	<b>\$3,329.60</b>

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 10-24-11

**Call before you dig**  
**Call 811**

For inquiries Call: 800-894-0374 or 800-363-3234 (FAX)

**This payment is due upon receipt.** If payment is not received within 30 days further collection action will be taken. IF A PAYMENT FOR LESS THAN THE FULL AMOUNT IS RECEIVED, IT WILL BE APPLIED AS A PARTIAL PAYMENT. **Please do not pay with telephone bill.**

If you are covered by insurance, please forward this to your carrier for payment. Once your claim has been established with your insurance company, please contact us at 800-894-0374 with your claim information, and we will work with your insurance company to resolve. AT&T accepts checks, money orders or credit card payments. We do not accept cash. Please complete the information below and return in the enclosed envelope or you may call 800-894-0374 to pay by phone.



**TOTAL AMOUNT DUE: \$3,329.60**

Amount enclosed: \$ \_\_\_\_\_

**Return this section with payment in enclosed envelope.**

Please write claim number on check or money order to ensure proper credit.

#### For credit card payment:

Credit Card number: \_\_\_\_\_

Name on Card: \_\_\_\_\_

Amount to be charged to your card: \_\_\_\_\_

3 digit security number on back of card: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Remit Payment to:

AT&T  
909 Chestnut Street  
Room 39-N-13  
St. Louis, MO 63101-3099





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

File Number: R-1112-113

File ID: R-1112-113	Type: Resolution	Status: Consent Item
Version: 1	Reference: Item No. 17	In Control: City Council
Department: Public Works Department	Cost: \$10,000.00	File Created: 02/28/2012
File Name: R-1112-113 appropriation for Jenkins Lighting design	Final Action:	

Title: RESOLUTION NO. R-1112-113: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACCEPTING AND DEPOSITING \$10,000 FROM THE UNIVERSITY OF OKLAHOMA (OU) INTO THE REIMBURSEMENT/REFUND CAPITAL ACCOUNT AND APPROPRIATING THOSE FUNDS TO PAY OU'S SHARE OF THE DESIGN OF THE JENKINS AVENUE CONTINUOUS ROADWAY LIGHTING UPGRADE PROJECT.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-113.

ACTION TAKEN: \_\_\_\_\_

### Notes:

Agenda Date: 03/13/2012

Agenda Number: 17

Attachments: Attachment No. 1 - Location Map, R-1112-113

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: julie.shelton@normanok.gov

Effective Date:

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File R-1112-113

Body

**BACKGROUND:** This project will replace the antiquated street lighting system along Jenkins Avenue, starting just north of State Highway 9 and ending at Constitution Street (see map in Attachment No. 1). Officials at the University of Oklahoma requested last year that the City of Norman pursue these street lighting improvements. The new system will feature "green" technology with the use of light-emitting diode (LED) lamps similar to those planned for Main Street, between Merkle Drive and University Boulevard. The upgrade is anticipated



to save the City approximately \$5,000 per year in operating cost. Design standards will match those developed for the Main Street project and agreed upon by Oklahoma Gas and Electric (OG&E) staff, who has committed to provide future maintenance of the system as part of the City's current street lighting contract. The estimated construction cost of \$152,180 will be funded with 100% federal funds as a safety improvement project.

On June 14, 2011, City Council approved Resolution R-1011-129 which was forwarded to both the Association of Central Oklahoma Governments (ACOG) and the Oklahoma Department of Transportation (ODOT) requesting federal funds to pay for 100% of the construction cost in Federal Fiscal Year 2011. In the resolution the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which normally is 20% but for this safety project will be 0%.

On October 26, 2010, City Council approved Contract No. K-1011-84 with Bucher, Willis, and Ratliff Corporation, Inc., in the amount of \$49,975 for the design of the Main Street Roadway Lighting Upgrade project. This company was one of four who submitted a proposal in response to the City's request for consulting engineering services. The Selection Committee, which consisted of John Clink - Capital Projects Engineer, David Riesland - Assistant Traffic Engineer, Angelo Lombardo - City Traffic Engineer, and two private citizens who work for OG&E (Mr. Monty Stutterheim and Mr. Glen Gottschalk) unanimously agreed that the project team from BWR, Inc. was the best qualified because of their experience with roadway lighting design using LED fixtures. This firm merged with another company on November 12, 2011 and is currently doing business as H.W. Lochner, Inc.

On January 10, 2012, City Council approved Amendment No. 1 to Contract No. K-1011-84 with H.W. Lochner, in the amount of \$20,000, for the consulting engineering services associated with the design of the new lighting system.

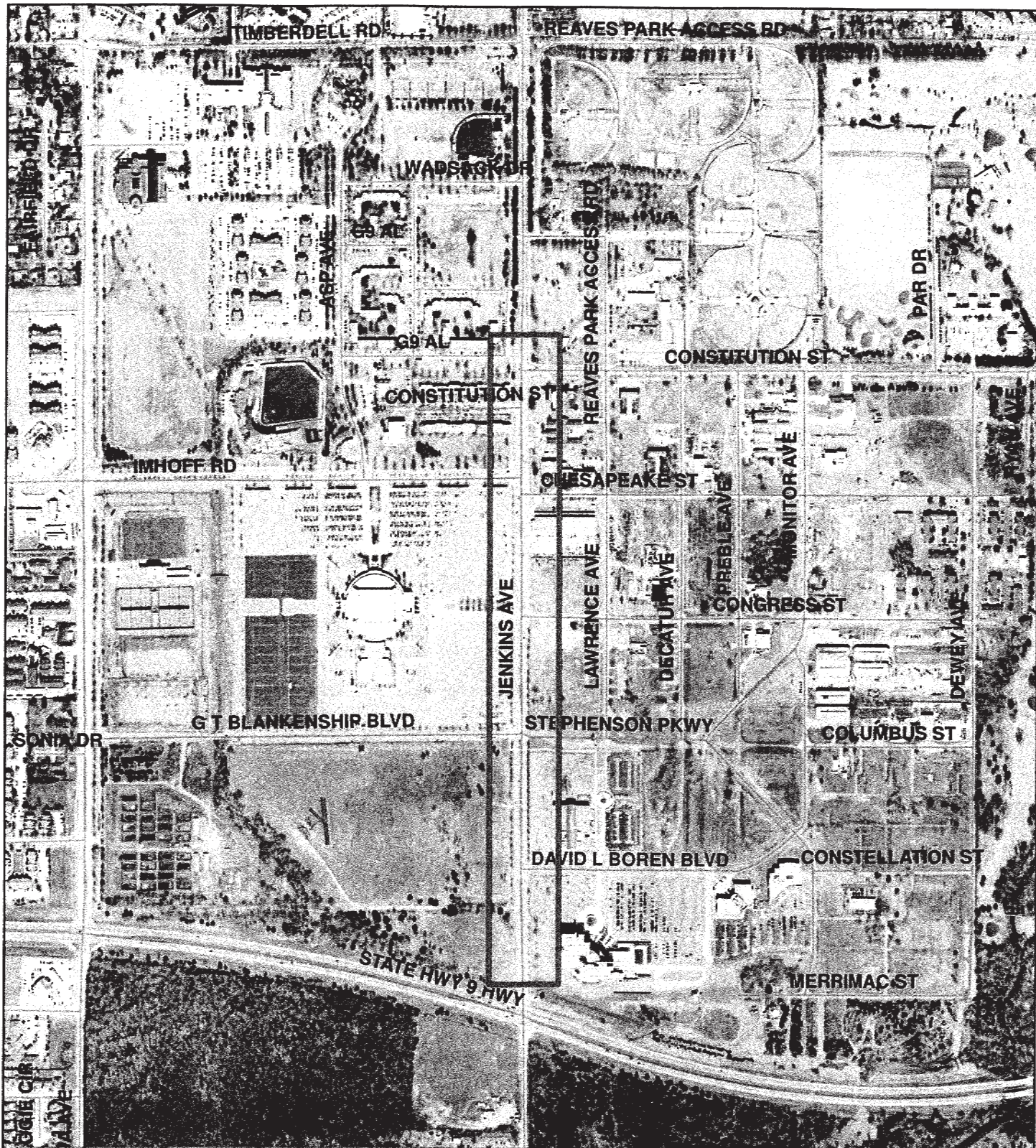
**DESCRIPTION:** Funds to cover the cost of design are to be equally shared by the City of Norman and the University of Oklahoma. The City's \$10,000 share was budgeted in FYE 2012 and is available in Roadway Lighting - Jenkins Avenue (account number 050-9081-431.62-01/Project TR-0083). The University's share, in the amount of \$10,000, was requested earlier in the year and is now in hand. The check was deposited into Reimbursement/Refunds (revenue account 050-0000-366.12-51). In order to utilize the funds, City Council needs to authorize the appropriation to the capital project's expenditure account.

Design services are under way and will be completed by April of 2012. A bid letting for the project is anticipated in September 2012. Installation of the new street lighting system will be completed by the spring of 2013. As in the case of the Main Street lighting system, City staff and OG&E officials will closely monitor the operation of the system to determine the effectiveness and cost savings. It is hoped that design standards for LED street lighting

systems in Oklahoma will be established with both of these projects.

**RECOMMENDATION:** Staff recommends approval of a \$10,000 appropriation of funds received from the University of Oklahoma into Reimbursement/Refunds (account number 050-0000-366.12-51) to Jenkins Avenue Roadway Lighting - Design (account 050-9081-431.62-01/Project TR-0083).





## Jenkins Avenue Roadway Lighting Project (From State Highway 9 to Constitution Street)

1 inch equals 800 feet

0 220 440 880 Feet





# Resolution

R-1112-113

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACCEPTING AND DEPOSITING \$10,000 FROM THE UNIVERSITY OF OKLAHOMA INTO THE REIMBURSEMENT/REFUND CAPITAL ACCOUNT AND APPROPRIATING THOSE FUNDS TO PAY THE UNIVERSITY'S SHARE OF THE DESIGN OF THE JENKINS AVENUE CONTINUOUS ROADWAY LIGHTING UPGRADE PROJECT.

- § 1. WHEREAS, the City of Norman, the Association of Central Oklahoma Governments (ACOG) and the Oklahoma Department of Transportation (ODOT) adopted Resolution No. R-1011-129 on June 14, 2011, requesting federal funds to pay 100% of the construction costs for the Jenkins Avenue Continuous Roadway Lighting Upgrade Project; and
- § 2. WHEREAS, in the resolution, the City of Norman agreed to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, and the relocation of public utilities; and
- § 3. WHEREAS, the consulting engineering services for this project is \$20,000 and the University of Oklahoma has agreed to pay 50% of those costs; and
- § 4. WHEREAS, the University's share has been received and it is necessary to formally accept funds in the amount of \$10,000, deposit the funds, and appropriate those funds to the project account.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 5. That funds in the amount of \$10,000 be accepted from the University of Oklahoma to be used to pay the consulting engineer for the project, those funds be deposited into Reimbursements/Refunds (050-000.366-12-51) and the following appropriation be made:

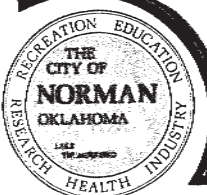
<u>Account Name</u>	<u>Losing Account</u>	<u>Gaining Account</u>	<u>Amount</u>
Project No. TR0083, RW Light: Jenkins, SH9, Design	050-0000-366.12-51	050-9081-431.62-01	\$10,000

PASSED AND ADOPTED this 13th day of March, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: O-1112-21**

<b>File ID:</b> O-1112-21	<b>Type:</b> Zoning Ordinance	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 18	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 01/30/2012

**File Name:** O-1112-21 Joy's Palace Special Use

**Final Action:**

**Title:** ORDINANCE NO. O-1112-21: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A BAR, LOUNGE, OR TAVERN WITH LIVE ENTERTAINMENT IN PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT; LYING WITHIN LOTS 1 AND 2, BLOCK 23, ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (300 EAST MAIN STREET)

**ACTION NEEDED:** Motion to adopt or reject Ordinance No. O-1112-21 upon Section Reading section by section.

**ACTION TAKEN:** \_\_\_\_\_

**ACTION NEEDED:** Motion to adopt or reject Ordinance No. O-1112-21 upon Final Reading as a whole.

**ACTION TAKEN:** \_\_\_\_\_

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 18

**Attachments:** O-1112-21 Joy's Palace, O-1112-21 Joy's Palace Location Map, Joy's Palace Special Use Staff Report, Joy's Palace Pre-Development Summary, 2-9-12 PC Minutes - Joy's Palace

**Project Manager:** Doug Koscinski, Current Planning Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	02/09/2012					
1	Planning Commission	02/09/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	City Council	02/28/2012	Introduced and adopted on First Reading by title only				
	Action Text: Introduced and adopted on First Reading by title only						
1	City Council	02/28/2012					

## Text of Legislative File O-1112-21

Body

**BACKGROUND:** The applicant, Joy Shalberg, currently operates a private “event center” where individuals may rent the facility and contract for food and beverage service with anyone who has a catering license. She is requesting a Special Use in order to operate the facility as a public establishment which would serve alcoholic beverages and provide live entertainment to the general public. Bar use with Live Entertainment is only allowed as a Special Use under the existing C-3 zoning district. The establishment will still be available for rent for a variety of events: private parties, receptions, fundraisers, concerts/live entertainment, festivals and specially approved events in or around the business. In order to control the distribution of alcohol in and around the business per state requirements the bartenders and bar staff must be hired through a business with bar and live entertainment authorization. The applicant will provide the lessee a list of state approved bartenders from which they can hire to staff their event.

**STAFF RECOMMENDATION:** As an “event center” similar use has occurred at this location, but on a limited basis and only for private parties. Granting this request will allow the owner to run events under her own name, open to the general public. Granting of this request should not impact any of the neighbors as this establishment has been in business for about a year but without the requested Special Use permitting live entertainment and serving of alcohol. The proposed use of this facility fits with the character of an emerging “entertainment district” currently in this area. Several new businesses, restaurants, galleries, and arts and entertainment venues have opened in this area. Parking is available in the city parking lot one block north at the corner of Crawford Avenue and Gray Street as well as on-street parking on Main Street. Staff supports this request for Special Use. The Planning Commission, by a vote of 7-0, supported this request at their February 9, 2012 meeting.



AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A BAR, LOUNGE, OR TAVERN WITH LIVE ENTERTAINMENT IN PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT; LYING WITHIN LOTS 1 AND 2, BLOCK 23, ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (300 EAST MAIN STREET)

- § 1. WHEREAS, Joy Shalberg, d/b/a Joy's Palace, the lessee of the hereinafter described property, has made application for Special Use for a Bar, Lounge, or Tavern with Live Entertainment, in the C-3, Intensive Commercial District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such special use; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such special use.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for a Bar, Lounge, or Tavern with Live Entertainment, to wit:

Lots 1 and 2, Block 23, ORIGINAL TOWN OF NORMAN, Cleveland County, Oklahoma, according to the recorded plat thereof.

- § 5. Severability: If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this \_\_\_\_\_ day of

NOT ADOPTED this \_\_\_\_\_ day of

\_\_\_\_\_, 2012.

\_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## Location Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



January 17, 2012

0 75 150 Ft.



### Subject Tract



## Zoning

---

ORDINANCE NO. O-1112-21

ITEM NO. 7

---

**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Joy Shalberg dba Joy's Palace
REQUESTED ACTION	Special Use for a Bar, Lounge or Tavern with Live Entertainment
EXISTING ZONING	C-3, Intensive Commercial District
SURROUNDING ZONING	North: C-3 East: C-3 South: I-1 & C-3 West: C-3
LOCATION	300 East Main Street
SIZE	6,950 sq. ft.
PURPOSE	Events, Private Parties, Live Entertainment
EXISTING LAND USE	Commercial
SURROUNDING LAND USE	North: Commercial East: Commercial South: Commercial West: Commercial
LAND USE PLAN DESIGNATION	Commercial

**SYNOPSIS:** The applicant, Joy Shalberg, currently operates a private "event center" where individuals may rent the facility and contract for food and beverage service with someone who has a catering license. She is requesting a Special Use in order to serve alcoholic beverages and provide live entertainment to the general public at the establishment "Joy's Palace" already in business at the above noted location. Bar use with Live Entertainment is only allowed as a Special Use under the existing C-3 zoning district.

**ANALYSIS:** The applicant would like to lease/host open events to the general public and serve and sell alcohol. The establishment will also be available for rent for a variety of events: private parties, receptions, fundraisers, concerts/live entertainment, festivals and specially approved events in or around the business. In order to control the distribution of alcohol in and

around the business per state requirements the bartenders and bar staff must be hired through a business with bar and live entertainment authorization. The applicant will provide the lessee a list of state approved bartenders from which they can hire to staff their event.

**OTHER AGENCY COMMENTS:**

- **PARK BOARD** Commercial uses do not require parkland dedication.
- **PUBLIC WORKS** The property is platted. This Special Use will not require any modification to the site which would alter the plat or require additional public improvements.

**STAFF RECOMMENDATION:** As an "event center" similar use has occurred at this location, but on a limited basis and only for private parties. Granting this request will allow the owner to run events under her own name, open to the general public. Granting of this request should not impact any of the neighbors as this establishment has been in business for about a year but without the requested Special Use permitting live entertainment and serving of alcohol. The proposed use of this facility fits with the character of an emerging "entertainment district" currently in this area. Several new businesses, restaurants, galleries and arts and entertainment venues have opened in this area. Parking accommodations can be addressed by utilizing the city parking lot one block north at the corner of Crawford Avenue and Gray Street as well as on-street parking on Main Street. Staff supports this request for Special Use.

<b>Applicant</b>	The Palace, LLC
<b>Location</b>	Generally located at the southeast corner of Main Street and Crawford Avenue
<b>Case Number</b>	PD 11-34
<b>Time</b>	6:00-6:30 PM

---

<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>Phone</b>
Joy Shalberg	Applicant	300 East Main Street	405-887-3474
Ken Danner	City Staff		366-5458
Jane Hudson	City Staff		366-5344

**Application Summary.** The applicant has requested approval of Special Use for the above noted site. The request for Special Use must go through Predevelopment prior to Planning Commission and City Council.

**Applicant's Opportunity.** The applicant would like to rent/host open events to the public and serve, sell alcohol. The applicant is open to renting the space for fundraisers, concerts, festivals, and specially approved events in or around the business. In addition, the applicant would like to allow a renter to have live entertainment at their event, should they desire to do so. In order to control the distribution of alcohol in and around the business per the state alcohol license the applicant will hire their own bartenders.

**Neighbors' Questions/Comments.** There were no neighbors in attendance.

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 9, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

\* \* \*

Item No. 1, being:  
**Roll Call**

**MEMBERS PRESENT**

Dave Boeck  
Cynthia Gordon  
Diana Hartley  
Chris Lewis  
Curtis McCarty  
Roberta Pailles  
Andy Sherrer

**MEMBERS ABSENT**

Jim Gasaway  
Tom Knotts

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*



Item No. 7, being:

**ORDINANCE NO. O-1112-21 – JOY SHALBERG, DBA JOY'S PALACE, REQUESTS SPECIAL USE FOR A BAR, LOUNGE OR TAVERN WITH LIVE ENTERTAINMENT FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 300 EAST MAIN STREET.**

**PRESENTATION BY STAFF:**

1. Mr. Koscinski reported that the applicant currently operates an event center. They rent the hall out for private functions. Typically you would hire a caterer or someone with a liquor license to provide food and/or beverage service for your event. The applicant would like to own the liquor license and provide the food and drink. That is a bar under our ordinance and requires a special use. The property is zoned C-3 and is located on Main Street. Parking in the area is an issue, but there is no parking required on the site based on the existing zoning. There are other similar uses in the area. This is on the corner of Main and Crawford. North across the street is the 300 block of downtown with a variety of food service establishments, some of which also serve liquor. Further east on the south side of the road are a variety of retail uses. There are several bars in the area, so this would not be an incompatible use. There were no filed protests on this request.

2. Mr. Boeck asked if there is a kitchen in the facility. Mr. Koscinski responded there is not, and it will essentially operate as a catered establishment, but the owner would carry her own licenses.

3. Ms. Pailes asked whether people are allowed to take drinks outside if a bar has a patio. Mr. Koscinski indicated there are State requirements for separation, although Norman's ordinances do not. They typically want a fence or rail of some sort.

**PRESENTATION BY THE APPLICANT:**

1. Joy Shalberg, 300 E. Main Street – I do have a liquor license at the present time.

2. Ms. Pailes asked about drinks being allowed outside the facility. Ms. Shalberg responded that she has not allowed it in the past. They are planning to section the entry off to make a patio area, with a wrought iron railing around both sides, but allowing traffic to flow on both sides of the railing on both sides, and with some nice plants.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

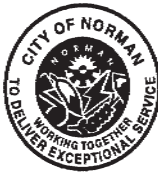
*Chris Lewis moved to recommend approval of Ordinance No. O-1112-21 to the City Council.  
Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Jim Gasaway, Tom Knotts

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-21 to the City Council, passed by a vote of 7-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: O-1112-22**

<b>File ID:</b> O-1112-22	<b>Type:</b> Zoning Ordinance	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 19	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 01/30/2012

**File Name:** O-1112-22 Long Alley Closure

**Final Action:**

**Title:** ORDINANCE NO. O-1112-22: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE ALLEY RIGHT-OF-WAY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, CLASSEN/MILLER ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (325 EAST KEITH STREET)

**ACTION NEEDED:** Motion to adopt or reject Ordinance No. O-1112-22 upon Second Reading section by section.

**ACTION TAKEN:** \_\_\_\_\_

**ACTION NEEDED:** Motion to adopt or reject Ordinance No. O-1112-22 upon final Reading as a whole.

**ACTION TAKEN:** \_\_\_\_\_

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 19

**Attachments:** O-1112-22 Closing Alley on Keith, O-1112-22 Long Location Map, Staff Memo Long Closure, Letter of Request Long Closure, Radius Map Long Closure, Long-Kiacz Alley Closure Staff Report, Long Easement Non-Objections, 2-9-12 PC Minutes - Long Alley

**Project Manager:** Doug Koscinski, Current Planning Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	02/09/2012					
1	Planning Commission	02/09/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	<b>Action Text:</b> Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	City Council	02/28/2012	Introduced and adopted on First Reading by title only				
	<b>Action Text:</b> Introduced and adopted on First Reading by title only						
1	City Council	02/28/2012					

### Text of Legislative File O-1112-22

Body

**BACKGROUND:** The owners of both properties abutting the said right-of-way have submitted a request to close a one-hundred foot (100') section of alley right-of-way. The south ninety feet (90') of the right-of-way adjacent to the east side of Lot 34, Block 7 of Classen-Miller Addition was vacated and discontinued by City Council with the adoption of Ordinance No. 947 on June 14, 1955. The procedure at that time only required action by City Council, and did not involve vacation by District Court. The applicants are requesting this closing to include/verify the existing ninety foot (90') vacation and include an additional ten feet (10') for a total closure of one-hundred feet (100'). Should the Council approve this request, the entire request would be followed by a District Court action to permanently vacate the easement and grant title to abutting owners.

All franchised utilities were contacted to assess the impact on their facilities if the right-of-way was closed. OG&E has overhead utilities in the area, and they have requested that the owners reserve an easement to allow OG&E to access their utilities. That reservation will be made when the application to vacate is finalized at District Court. The Utilities Department was informed of the request to close the right-of-way and that City Council had previously vacated the right-of-way except for the north ten feet (10'). The applicants are willing to grant an easement five feet (5') in width each side from center of the existing sanitary sewer line for a total of ten feet (10') including language for the right to access the sewer taps if at such time as the current sewer line became unusable and the taps needed to be tied onto a new sewer main. Because there are no facilities that Public Works maintains in the alley right-of-way, Public Works staff does not object to the closure and vacation.

**RECOMMENDATION:** The right-of-way was originally platted as part of the Classen-Miller Addition in the early 1900's. Staff supports the request to close this one-hundred foot (100') portion of the right-of-way subject to granting of an easement covering the existing sanitary sewer and the right of access for servicing the sewer taps in the event the main is replaced by the method of pipe bursting and the taps need to be connected to the new main. The Planning Commission, by a vote of 7-0, supported this request at their February 9, 2012 meeting.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE ALLEY RIGHT-OF-WAY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, CLASSEN/MILLER ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (325 EAST KEITH STREET)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 1. That, pursuant to Resolution Number R-8182-66, James and Gloria Long and Lavon Kiacz, owners of the subject property, have petitioned the City to have the alley right-of-way abutting Lots 1, 2, 3, 4, and the south 100 feet of Lot 34, Block 7, CLASSEN/MILLER ADDITION closed; and,
- § 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and
- § 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and
- § 4. That, the alley right-of-way abutting Lots 1, 2, 3, 4, and the south 100 feet of Lot 34, Block 7, CLASSEN/MILLER ADDITION herein after described, to wit:

That portion of the alley abutting the West 50 feet of Lot 1, 2, 3, 4, and the South 100 feet of Lot 34, Block 7, CLASSEN/MILLER ADDITION to Norman, Cleveland County, Oklahoma; according to the recorded plat thereof (325 East Keith Street).

is hereby closed.

§ 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2010.

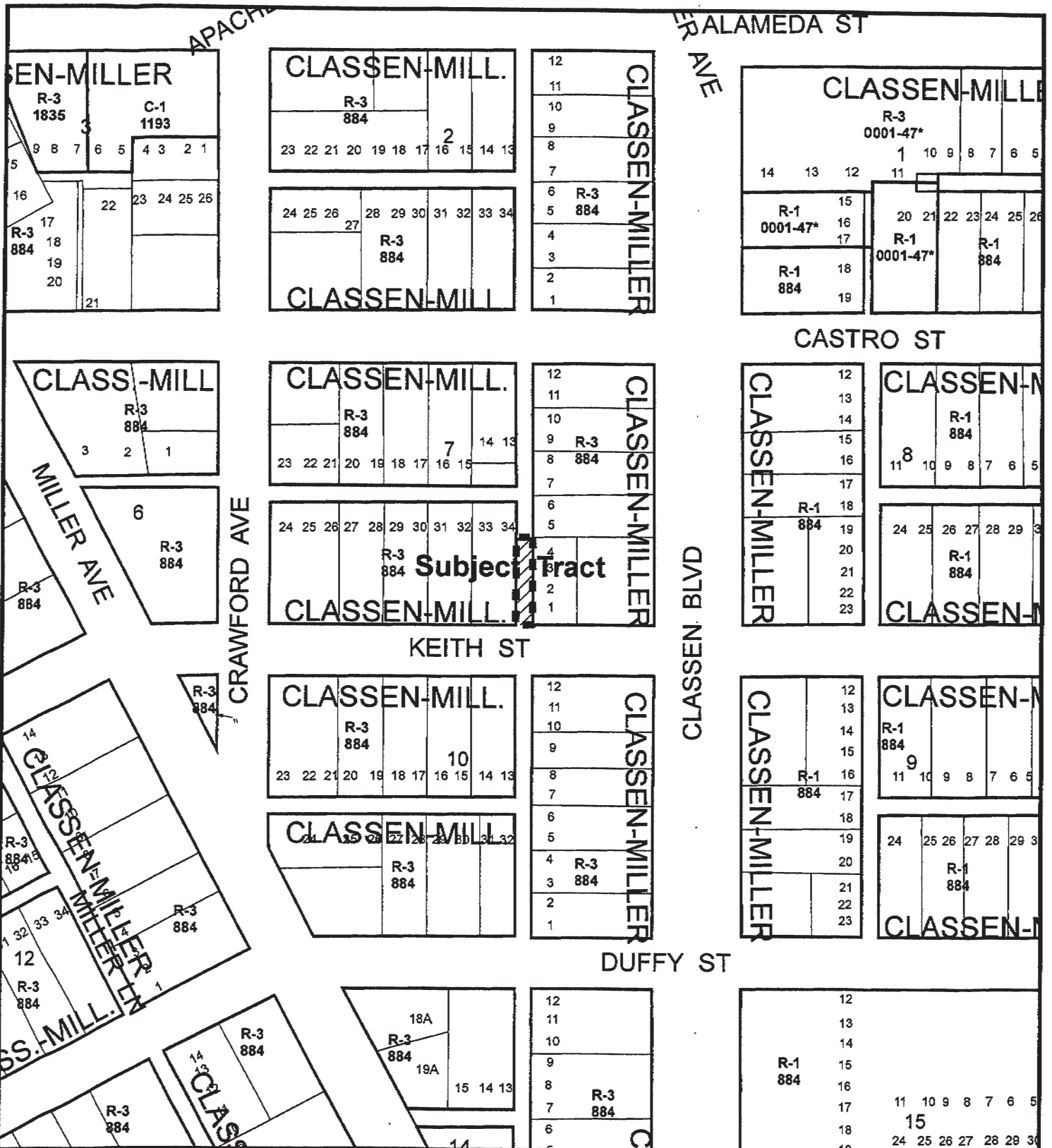
NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2010.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)



# Location Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



January 17, 2012

0 75 150 Ft.

Subject Tract

Zoning





DATE: January 5, 2012

TO: Doug Koscinski, Current Planning Manager  
Jeff Bryant, City Attorney  
Ken Komiske, Director of Utilities  
Ken Danner, Subdivision Manager

FROM: Brenda Hall, City Clerk

SUBJECT: Request to Close Easement and Right-of-Way in Classen/Miller Addition

I am receipt of a request to close an easement and right-of-way in a portion of an alley abutting the west fifty feet of Lots 1, 2, 3, and 4, and the south 100 feet of Lot 34, Block 7, Classen/Miller Addition.

In accordance with Resolution No. R-8182-66, I am forwarding the request; location map; radius map; and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr  
attachments

office memorandum



**FELLERS SNIDER**  
ATTORNEYS AND COUNSELLORS AT LAW

FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

Blaine Nice  
Of Counsel

DIRECT: (405) 232-0621  
BNice@FellersSnider.com

January 5, 2012

Ms. Brenda Hall  
City Clerk  
City of Norman  
201 West Gray St.  
P.O. Box 370  
Norman, OK 73070

Re: Petition to Close Easement/Right-of-Way on Classen/Miller Addition, Section 7

Dear Ms. Hall:

1. The undersigned Applicants, James R. and Gloria J. Long and Lavon Kiacz are the owners of all the land on both sides of the easements, described below, which are proposed for closing.

2. It is in the best interest of both the undersigned and the City of Norman to release, close, and subsequently vacate, and close the right to reopen in district court the following described easements:

That portion of the alley abutting the West Fifty (50) Feet Lot One (1), Two (2), Three (3), Four (4) and the South One Hundred (100) Feet of Lot Thirty-Four (34), and Block Seven (7), of Classen/Miller Addition to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof (hereinafter referred to as the "subject property");

3. If there are any utility lines or facilities in, on, under, or over any part(s) of subject property, Applicants will cause same to be respected and protected, as required by law.

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 1-5-12

100 NORTH BROADWAY, SUITE 1700  
OKLAHOMA CITY, OKLAHOMA 73102-8820  
www.fellerssnider.com

TELEPHONE 405.232.0621 ■ FAX 405.232.9659

4. Copies of ownership lists, certified by bonded abstractor, reflecting all owners of record, according to County Treasurer records, a property within 300 feet in any direction of the above-described subject property are submitted herewith. A map which is attached to each copy of said ownership list shows the location of the ownership lines for each owner of record whose name appears on the ownership list.

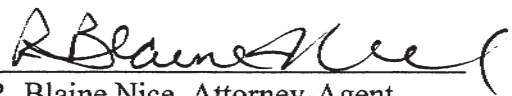
5. Enclosed is a check for the required filing fee of \$400.00.

6. Action by the Board of County Commissioners of Cleveland County is not necessary. The undersigned will pay the cost of newspaper publication of the required notice.

WHEREFORE, pursuant to Resolution 8182-66, as amended, of the City of Norman, the undersigned Applicants request official closing of the above-described subject property, by enactment of an ordinance by the City Council of the City of Norman.

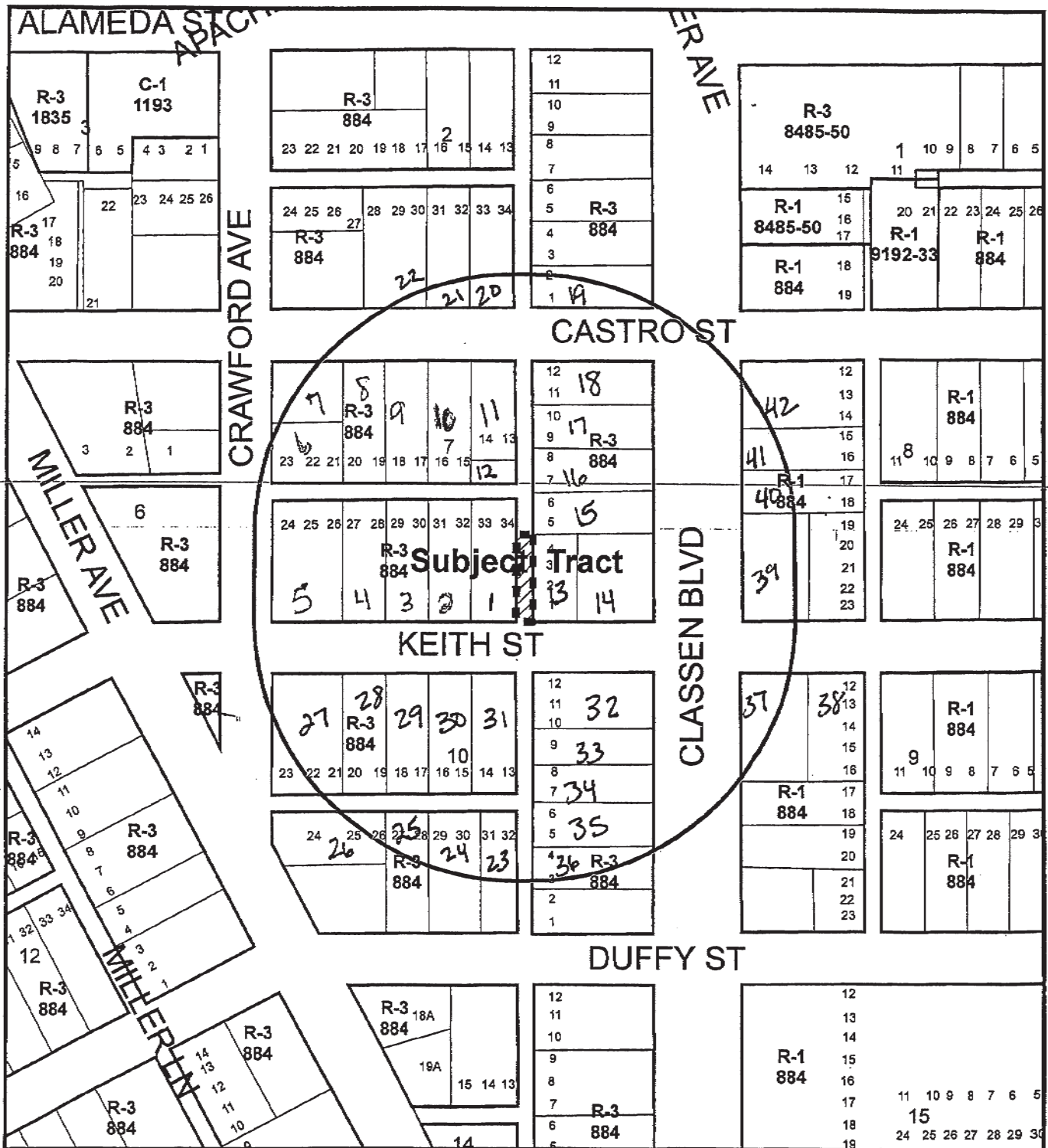
Applicants:

Lavon Kiacz and Jim and Gloria Long

By:   
R. Blaine Nice, Attorney-Agent  
Fellers, Snider, Blankenship,  
Bailey & Tippens  
100 N. Broadway, Suite 1700  
Oklahoma City, OK 73102  
Telephone: 405-232-0621  
Facsimile: 405-232-9659

Enclosures

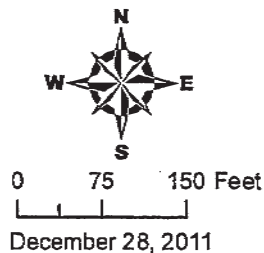
40367-582971



# Radius Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



- Subject Tract
- Radius
- Parcels
- Notification Area

---

ORDINANCE NO. O-1112-22

ITEM NO. 8

---

**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT

James & Gloria Long and Lavon Kiacz

REQUESTED ACTION

Close right-of-way (alley) abutting Lots 1-4  
and Lot 34, Block 7, Classen/Miller Addition

**BACKGROUND.** The owners of both properties abutting the said right-of-way have submitted a request to close a one-hundred foot (100') section of alley right-of-way. The south ninety feet (90') of the right-of-way adjacent to the east side of Lot 34, Block 7 of Classen-Miller Addition was vacated and discontinued by City Council with the adoption of Ordinance No. 947 on June 14, 1955. The procedure at that time only required action by City Council, and did not involve vacation by District Court. The applicants are requesting this closing to include/verify the existing ninety foot (90') vacation and include an additional ten feet (10') for a total closure of one-hundred feet (100'). Should the Council approve this request, the entire request would be followed by a District Court action to permanently vacant the easement and grant title to abutting owners.

**DISCUSSION.** All franchised utilities were contacted to assess the impact on their facilities if the right-of-way was closed; there have been no objections. The vacation of a right-of-way is a process and the request for closure is the first step in the process to remove right-of-way from a filed plat. The closure is followed by an appeal to District Court to vacate the right-of-way.

The Utilities Department was informed of the request to close the right-of-way and that City Council had previously vacated the right-of-way except for the north ten feet (10'). The applicants are willing to agree to an easement five feet (5') in width each side from center of the existing sanitary sewer line for a total of ten feet (10') including language for the right to access the sewer taps if at such time as the current sewer line became unusable and the taps needed to be tied onto a new sewer main. The Public Works Department was notified and since there are no facilities that Public Works maintains in the right-of-way, Public Works staff does not object to the closure and vacation.

**RECOMMENDATION.** The right-of-way was originally platted as part of the Classen-Miller Addition in the early 1900's. Staff supports the request to close this one-hundred foot (100') portion of the right-of-way subject to granting of an easement covering the existing sanitary sewer and the right of access for servicing the sewer taps in the event the main is replaced by the method of pipe bursting and the taps need to be connected to the new main.

PO Box 321  
Oklahoma City, Oklahoma 73101-0321  
405-553-3000  
www.oge.com



*OG&E Electric Services*  
An OGE Energy Corp. Company

FEBRUARY 3, 2012

CITY OF NORMAN  
ATTN: KEN DANNER  
DEVELOPMENT COORDINATOR  
NORMAN PLANNING COMMISSION  
P. O. BOX 370  
NORMAN, OK. 73070

**RE: Applicant: James R. & Gloria J. Long and Lavon Kiacz  
Lots 1-4, 34, Block 7, Classen/Miller Addition  
Petition to close Easement/right-of-way  
325 East Keith a/k/a Resolution No. R-9192-66**

Mr. Danner;

Available records show OG&E Electric Services has overhead facilities in the area the applicant is requesting to close. I spoke to the applicant's attorney about the concern OG&E has in obtaining access to service the two poles on the property. At present, the owner at 325 East Keith has storage buildings, fencing and landscaping completely around what was formerly the platted alley. In addition, a section was added onto the house that is also in the former alley. OG&E has several concerns about damages to the owner's property, if we had to replace the poles. We are suggesting that language be included in the final resolution that protects OG&E from having to pay above what is normal and reasonable damage to the property, if we ever had to enter, to service in whatever manner the poles. The attorney plans to talk to his client about these concerns.

If language can be added to the final resolution that addresses our concerns, then OG&E does not object to the closing of the right-of-way as described above. If you have any further questions, or if I can provide you with any other information, please contact me at (405) 553-5174.

Sincerely,

A handwritten signature in black ink that reads "Timothy J. Bailey". The signature is written in a cursive, flowing style.

Timothy J. Bailey  
Right-Of-Way Agent



**Jane Hudson**

---

**From:** Ken Danner  
**Sent:** Wednesday, February 01, 2012 10:28 AM  
**To:** Jane Hudson  
**Subject:** FW: Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66  
**Attachments:** 4195\_001.pdf; 325 E. KEITH EASEMENT CLOSING.jpg

For the file.

---

**From:** Thad Peterson [mailto:TPeterson@okcoop.org]  
**Sent:** Wednesday, February 01, 2012 10:25 AM  
**To:** Ken Danner  
**Subject:** FW: Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66

Ken,


 OEC has no objection to the easement closure @325 E Keith – Resolution number R-9192-66.

242 24th Ave NW  
PO Box 1208  
Norman OK 73070  
Ph: (405) 321-3074



Thad Peterson  
Supervisor of Engineering  
Services

Office: 405-217-6625  
Mobile: 405-641-7372  
Fax: 405-217-6933  
tpeterson@okcoop.org

Your Touchstone Energy® Cooperative 

[www.okcoop.org](http://www.okcoop.org)

---

**From:** Drew Norlin [mailto:Drew.Norlin@NormanOK.gov]  
**Sent:** Wednesday, February 01, 2012 10:13 AM  
**To:** baileyjtj@oge.com; tn0418@att.com; Jim Speck; jodie.finney@cox.com; jsullivan@oneok.com; Randy F. Harrell; Thad Peterson  
**Cc:** Ken Danner  
**Subject:** Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66

To All

Please contact Ken Danner regarding this request to **close an easement** along the west side of the existing property with your approval or disapproval as soon as possible. Ken would like to have your responses before the end of the day tomorrow (February 2, 2012), if possible. His email address is [ken.danner@NormanOK.gov](mailto:ken.danner@NormanOK.gov) or call him at 366-5458.

Thanks  
Drew Norlin, Subdivision Development Coordinator  
City of Norman Engineering /Public Works  
(405) 366-5459 phone  
(405) 366-5418 fax  
[drew.norlin@NormanOK.gov](mailto:drew.norlin@NormanOK.gov)

2/1/2012

19-10

**Jane Hudson**

---

**From:** Ken Danner  
**Sent:** Thursday, February 02, 2012 8:37 AM  
**To:** Jane Hudson  
**Subject:** FW: Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66

From AT&T for the file.

---

**From:** Drew Norlin  
**Sent:** Thursday, February 02, 2012 8:27 AM  
**To:** Ken Danner  
**Subject:** FW: Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66

Thanks  
Drew Norlin, Subdivision Development Coordinator  
City of Norman Engineering /Public Works  
(405) 366-5459 phone  
(405) 366-5418 fax  
[drew.norlin@NormanOK.gov](mailto:drew.norlin@NormanOK.gov)

---

**From:** HAYES, TERRI L [<mailto:tn0418@att.com>]  
**Sent:** Thursday, February 02, 2012 8:26 AM  
**To:** Drew Norlin  
**Subject:** RE: Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66

Hello Drew,  
I have no objections to this.  
Terri

---

**From:** Drew Norlin [<mailto:Drew.Norlin@normanok.gov>]  
**Sent:** Wednesday, February 01, 2012 10:13 AM  
**To:** [baileyjtj@oge.com](mailto:baileyjtj@oge.com); HAYES, TERRI L; Jim Speck; [jodie.finney@cox.com](mailto:jodie.finney@cox.com); [jsullivan@oneok.com](mailto:jsullivan@oneok.com); Randy F. Harrell; Thad Peterson  
**Cc:** Ken Danner  
**Subject:** Request to Close Easement @ 325 E. Keith AKA: Resolution No. R-9192-66

To All

Please contact Ken Danner regarding this request to **close an easement** along the west side of the existing property with your approval or disapproval as soon as possible. Ken would like to have your responses before the end of the day tomorrow (February 2, 2012), if possible. His email address is [ken.danner@NormanOK.gov](mailto:ken.danner@NormanOK.gov) or call him at 366-5458.

Thanks  
Drew Norlin, Subdivision Development Coordinator  
City of Norman Engineering /Public Works  
(405) 366-5459 phone  
(405) 366-5418 fax  
[drew.norlin@NormanOK.gov](mailto:drew.norlin@NormanOK.gov)

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 9, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

\* \* \*

Item No. 1, being:  
**ROLL CALL**

**MEMBERS PRESENT**

Dave Boeck  
Cynthia Gordon  
Diana Hartley  
Chris Lewis  
Curtis McCarty  
Roberta Pailes  
Andy Sherrer

**MEMBERS ABSENT**

Jim Gasaway  
Tom Knotts

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*

Item No. 8, being:

**ORDINANCE NO. O-1112-22 – JAMES & GLORIA LONG AND LAVON KIACZ (FELLERS SNIDER) REQUEST CLOSURE OF THE ALLEY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, OF CLASSEN/MILLER ADDITION.**

**PRESENTATION BY STAFF:**

1. Mr. Danner reported this is located west of Classen Boulevard on the north side of Keith Street, between 321 and 325 East Keith. It is a 20' alley right-of-way. The request has been made to close 100' of this alley. In 1951 there was an unimproved surfaced alley through this area. In 1955 there was a request to vacate that portion of the alley. City Council adopted Ordinance No. 947 to vacate the alley. To our knowledge, it was never taken to District Court, and the attorney for the applicant's want to make sure that the process includes the 90' plus the 10' so it can also go to District Court for the judge to determine what to do with the property. The City has a sanitary sewer within the right-of-way, and we have requested that an easement be provided for that sewer, and accessibility to the taps if we ever have to do rehabilitation on the sewer. We have received the same request from OG&E and ONG. Originally they had objected to that request for closure, but as long as their utilities are protected by easements they would remove their objection. Most of the time when a request is taken forward to District Court is when the easements are worked out. Staff is not objecting to the closure. There is no longer a need for any type of surface and it is not utilized as an alley. Staff recommends approval, as long as the utilities are protected.

**PRESENTATION BY THE APPLICANT:**

1. Blaine Nice, 100 N. Broadway, Oklahoma City, representing the applicants – This is a little unusual. 90' of this alley had been vacated. Now the ordinance says that City Council closes it and then you go to District Court to vacate the right to ever reopen it. Arguably, we could just do the 10' and then ask the judge to do the whole 100', because it has already been done. Out of an abundance of caution – there's not enough back-up material and we're not certain of the background on some of that. We thought it would be better to go forward and close the entire 100'. The applicants agree to reserve the right for the sewer line. I talked to Mr. Bluejacket of ONG this afternoon because they filed an objection. They just realized they have a line in there, but we've agreed that we will reserve that. They've got to locate that line. OG&E has an overhead line and we're going to reserve an easement for them. On one side, the Longs have some wooden steps that encroach onto the alley; it doesn't encroach on any of the utilities. On the other side, there are a couple of small out buildings that encroach into the alley by a few feet. Ms. Kiacz has recently sold the property and the encroachments became an issue and it was requested that it be cleaned up.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Diana Hartley moved to recommend approval of Ordinance No. O-1112-22 to the City Council. Cynthia Gordon seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailles, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Jim Gasaway, Tom Knotts

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-22 to the City Council, passed by a vote of 7-0.

\*\*\*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

File Number: R-1112-111

File ID: R-1112-111	Type: Resolution	Status: Non-Consent Items
Version: 1	Reference: Item No. 20	In Control: City Council
Department: Planning and Community Development Department	Cost:	File Created: 01/31/2012
File Name: R-1112-111 Fountain View 2025 Amend	Final Action:	

**Title:** RESOLUTION NO. R-1112-111: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-04, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE LOW DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE FLOODPLAIN DESIGNATION FOR THE HERINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-111, Land Use Plan Amendment No. LUP-1112-04; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: \_\_\_\_\_

### Notes:

Agenda Date: 03/13/2012

Agenda Number: 20

Attachments: R-1112-111 Fountain View North, Location map,  
Fountain View 2025 Staff Report, 2-9-12 PC Minutes  
- Fountain View North

Project Manager: Doug Kosciński, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	02/09/2012					
1	Planning Commission	02/09/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council							

### Text of Legislative File R-1112-111

#### Body

Sassan Moghadam requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-04) from Floodplain Designation to Low Density Residential Designation for 14.89 acres of property generally located on the east side of 48th Avenue N.W. approximately 330 feet south of Tecumseh Road. The applicant hopes to develop this tract into a gated residential community with smaller lots clustered around central open spaces. The target market is older individuals who are seeking low maintenance home sites along with the security of a gated community.

**STAFF ANALYSIS:** Most of the land along the east side of 48th Avenue NW was placed into a Floodplain designation by the 2020 and 2025 Land Use Plan. The city adopted new floodplain maps in 2008 after an extensive study of the Ten Mile Flat Creek. Those maps limit the extent of any floodplain to properties on the west side of 48th Avenue, and thus open this area up for urbanization. Water and sewer lines have been extended to this area in conjunction with the development of single-family subdivisions immediately to the south.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

*1. There has been a change in circumstances resulting from properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* Beginning with the development of Ashton Grove subdivision at Rock Creek Road, several subdivisions have been authorized along 48th Avenue NW in the last several years. The two immediately south of this request are nearing completion, and have provided the necessary utility extensions to also serve this addition. At the same time, the city has investigated the impact of floodplains in the area, and the adoption of new maps clarifies which properties have been removed from any regulatory flood plains. This property is not affected by any such floodplain.

*2. There is a determination that the proposed change would not result in adverse land use or traffic impacts to surrounding properties or the vicinity.* There are several homes on large lots north and east of this tract, with new single-family dwellings anticipated south of this request. The proposed use is a compatible use, and 48th Avenue is adequate to handle the expected traffic from all of these subdivisions.



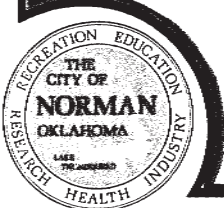
**STAFF RECOMMENDATION:** The amendment to the 2025 Plan is warranted due to the recent review and adoption of revised flood maps. The increase in traffic can be accommodated, and the proposed residential use will complement nearby developments. Staff believes that the amendment criteria have been met, and therefore supports this request to amend the Land Use Plan. Planning Commission, by a vote of 7-0, supported this Land Use Plan amendment at their February 9, 2012 meeting.

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1112-04**, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE LOW DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE FLOODPLAIN DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

- § 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and
- § 2. WHEREAS, the City Council at its meeting of December 19, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan; and
- § 3. WHEREAS, Sassan Moghadam has requested that the following described property be moved from the Floodplain Designation and placed in the Low Density Residential Designation, to wit:

A tract of land lying in the NW/4 of Section 15, T9N, R3W of the Indian Meridian, Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

COMMENCING at the NW/C of said NW/4; THENCE South 00°19'40" East along the West line of said Section 15 a distance of 330.00 feet to the POINT OF BEGINNING;  
THENCE North 89°36'51" East a distance of 307.84 feet;  
THENCE South 00°19'40" East a distance of 283.00 feet;  
THENCE North 89°36'51" East a distance of 254.27 feet;  
THENCE South 00°19'40" East a distance of 215.47 feet;  
THENCE North 89°36'51" East a distance of 88.03 feet;  
THENCE South 00°19'40" East a distance of 491.53 feet;  
THENCE South 89°36'51" West a distance of 80.43 feet;  
THENCE South 00°36'24" East a distance of 215.04 feet;  
THENCE North 89°30'43" West a distance of 182.82 feet;  
THENCE North 89°46'56" West a distance of 198.93 feet;



THENCE South 89°32'06" West a distance of 189.04 feet to a point on the West line of said Section 15;  
THENCE North 00°19'40" West along said West line a distance of 1200.42 feet to the POINT OF BEGINNING.

Said tract contains 14.888 acres, more or less.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration, has determined that the requested amendment is compatible with the adopted NORMAN 2025 Land Use and Transportation Plan and does hereby approve the requested amendment.

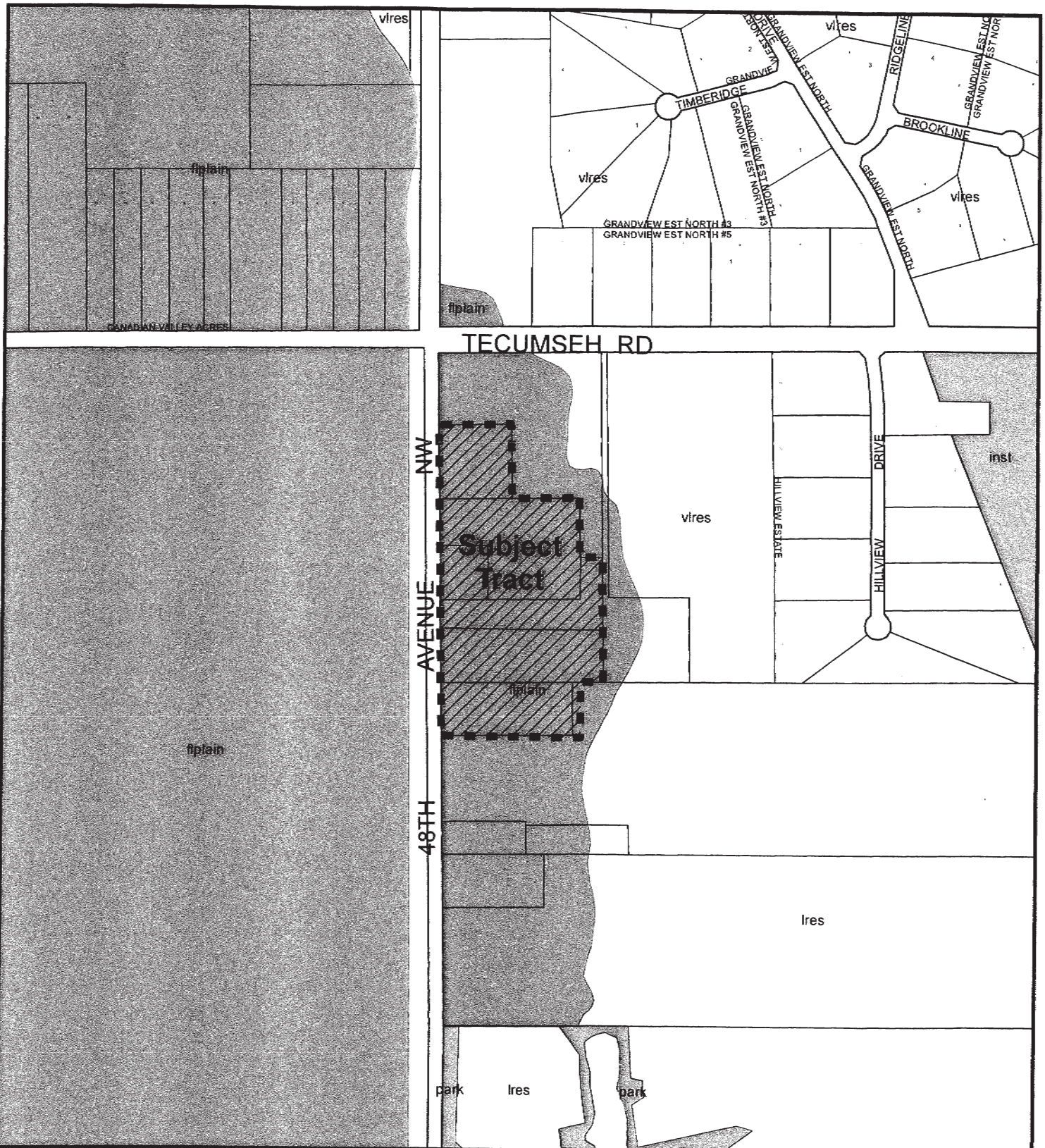
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





# Location Map



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



February 2, 2012

0 250 500 Ft.

 Subject Tract

 Zoning



---

RESOLUTION NO. R-1112-111

ITEM NO. 9a

---

**STAFF REPORT**

**ITEM:** Sassan Moghadam requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-04) from Floodplain Designation to Low Density Residential Designation for 15.14 acres of property generally located on the east side of 48th Avenue N.W. approximately 330 feet south of Tecumseh Road.

**SUMMARY OF REQUEST:** The applicant hopes to develop this tract into a gated residential community with smaller lots clustered around central open spaces. The target market is older individuals who are seeking low maintenance home sites along with the security of a gated community.

**STAFF ANALYSIS:** This tract like most of the land in this area along the east side of 48<sup>th</sup> Avenue NW was placed into a Floodplain designation by the 2020 and 2025 Land Use Plan. The city adopted new floodplain maps in 2008 after an extensive study of the Ten Mile Flat Creek. Those maps limit the extent of any floodplain to properties on the west side of 48<sup>th</sup> Avenue, and thus open this area up for urbanization. Water and sewer lines have been extended to this area in conjunction with the development of single-family subdivisions immediately to the south.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. *There has been a change in circumstances resulting from properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* Beginning with the development of Ashton Grove subdivision at Rock Creek Road, several subdivisions have been authorized along 48<sup>th</sup> Avenue NW in the last several years. The two immediately south of this request are nearing completion, and have provided the necessary utility extensions to also serve this addition. At the same time, the city has investigated the impact of floodplains in the area, and the adoption of new maps clarifies which properties have been removed from any regulatory flood plains. This property is not affected by any such floodplain.
2. *There is a determination that the proposed change would not result in adverse land use or traffic impacts to surrounding properties or the vicinity.* There are several homes on large lots north and east of this tract, with new single-family dwellings anticipated south of this request. The proposed use is a compatible use, and 48<sup>th</sup> Avenue is adequate to handle the expected traffic from all of these subdivisions.

**STAFF RECOMMENDATION:** The amendment to the 2025 Plan is warranted due to the recent review and adoption of revised flood maps. The increase in traffic can be accommodated, and the proposed residential use is compatible with nearby developments. Staff believes that the amendment criteria have been met, and therefore supports this request to amend the Land Use Plan.

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 9, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

\* \* \*

Item No. 1, being:  
**ROLL CALL**

**MEMBERS PRESENT**

Dave Boeck  
Cynthia Gordon  
Diana Hartley  
Chris Lewis  
Curtis McCarty  
Robertta Pailles  
Andy Sherrer

**MEMBERS ABSENT**

Jim Gasaway  
Tom Knotts

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Kosciński, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*



Item No. 9, being:

**CONSIDERATION OF A REQUEST SUBMITTED BY SASSAN MOGHADAM FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD.**

**9A. RESOLUTION NO. R-1112-111 – SASSAN MOGHADAM REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-04) FROM FLOODPLAIN DESIGNATION TO LOW DENSITY RESIDENTIAL DESIGNATION FOR 14.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report

**9B. ORDINANCE NO. O-1112-23 – SASSAN MOGHADAM REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT, FOR 14.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 LINEAL FEET SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. PUD Narrative

**9C. PP-1112-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SASSAN MOGHADAM (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW NORTH ADDITION, A PLANNED UNIT DEVELOPMENT, TO THE CITY COUNCIL.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Site Development Plan
5. Preliminary Plat
6. Pre-Development Summary
7. Greenbelt Enhancement Statement
8. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Mr. Koscinski reported we included the first item as almost perfunctory. We have new flood maps that essentially stop the floodplain at 48<sup>th</sup> Avenue. Obviously, the adoption of those maps didn't affect our long-range plan, so we've added this item simply to clarify the record. As you can see, it doesn't address all of the floodplain on the Plan map, but the maps indicate it is no longer in a floodplain. The actual rezoning is for a Planned Unit Development of single-family homes on very small lots with reduced building setbacks. Current zoning is A-2. They are proposing a PUD. They are individual homes on individual lots. There are still two remaining homes on the property that will be removed, but the rest of the structures have been cleared from the site. North of the site there is a large existing home, fairly close to Tecumseh Road on a fairly large tract. To the east is a very large home on a very large tract, with a big barn. To the south will be a couple of hundred homes of standard single-family development. When Ashton Grove developed, they put in a lift station which remedied a capacity problem, which has allowed all these subdivisions to start developing. Across the street is State school land that is currently being leased for farm purposes. Staff believes that this is an acceptable use. The density is 4.75, which is slightly high, but still well within the single-family range. The roads will be private and it is a gated subdivision. There is a fair amount of open space, with about a 4-acre common area, with more green area in the plat. It is far in excess of what would have been required under a standard PUD guidance. Building setbacks are variable; there is a 20' setback

for any garage. There is some on-site parking for visitors. Staff recommends approval of the Plan change, the rezoning, and the preliminary plat. There were no filed protests on this request.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Drive, representing the applicant – Mr. Koscinski introduced this pretty thoroughly. A-2 zoning is the current zoning, but don't be mistaken about that – this is all shifting to developed areas of Norman with Fountain View Section 1 to the south, Ten Mile Flats to the west. There are two additions being built right now that are fully platted and will be occupied and in use in no time. Our addition is right to the north. Several of the homes have been removed in anticipation of development. There is large open space on this. This is designed to be an adult, gated community with minimal yards and minimal maintenance, with a central community space and a central building, behind a gated entrance. The gated entrance will be per the City of Norman design. If you add up all the green space and detention areas, it is 54% open space, which is simply enormous for an addition. Here is a graphic of the site plan. The gated entry comes off 48<sup>th</sup> Avenue. There is a large clubhouse in the middle with the homes spinning around it. There are common driveways into the homes. Some of the homes are attached. These folks will not want large lots – they want very minimal maintenance on their properties. The private street circulates around the interior. This is a nice compliment to what is happening around it, with a much different type of use. Staff supports the proposed use of smaller single-family dwellings which will compliment the newer nearby subdivisions currently under development. No adverse traffic impacts. No negative impacts. No protests. Only a couple people came to Pre-Development. Richard McKown has done a lot of work on this subdivision. He sent these into me just a little while ago, and I thank Larry for putting them on the screen with only about 15 minutes of time to spare. This gives you a much closer detailed look at what is being proposed here through Richard's designs. You see how some of them are connected and some of them are free-standing. There is a really nice design coming off of 48<sup>th</sup> Avenue into this development.

2. Ms. Pailles commented that in driving out there and looking at the development to the south, the detention ponds parallel 48<sup>th</sup> Avenue and they're full. On the corner is a private home that has a pond, which is also full. There is no creek running into this and it looks like those bodies of water are basically ground water and that is the water table. It looks like a very high water table. Places in Norman that have been built on a high water table there have been problems with unstable foundations and problems with sewer pipes backing up.

3. Tom McCaleb – Ms. Pailles is correct. That is the water table. This area has been studied a lot in the last several years. They didn't know exactly where the water table was until they started digging and found it. They have also encountered some other strata in the development that they've had to accommodate. Where the bottom of the detention pond was previously planned is the water table, so it was designed perfectly. The water table maintained that level throughout last summer with no rain. They have had only one experience where they had water that came from high on a hill; that has been captured into a conduit. Almost all the sewer is in place. When sewer was installed along 48<sup>th</sup> Avenue, they had to dewater all the time. No other problems have been encountered on the development.

4. Ms. Hartley asked about the requirement for a fee in lieu of park land. Mr. Rieger responded that residential developments are required to do one of three things: 1) dedicated public park space, 2) pay fee in lieu of, or 3) provide private park land.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to recommend approval of Resolution No. R-1112-111, Ordinance No. O-1112-23, and approval of the Preliminary Plat for FOUNTAIN VIEW NORTH ADDITION, A Planned Unit Development, to the City Council. Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailles, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Jim Gasaway, Tom Knotts

Ms. Tromble announced that the motion to recommend approval of Resolution No. R-1112-111, Ordinance No. O-1112-23, and approval of the Preliminary Plat for FOUNTAIN VIEW NORTH ADDITION, A Planned Unit Development, to the City Council, passed by a vote of 7-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: O-1112-23**

<b>File ID:</b> O-1112-23	<b>Type:</b> Zoning Ordinance	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 21	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 01/30/2012

**File Name:** O-1112-23 Fountain View North Rezoning

**Final Action:**

**Title:** ORDINANCE NO. O-1112-23: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

**ACTION NEEDED:** Motion to adopt or reject Ordinance No. O-1112-23 upon Second Reading section by section.

**ACTION TAKEN:** \_\_\_\_\_

**ACTION NEEDED:** Motion to adopt or reject Ordinance No. O-1112-23 upon Final Reading as a whole.

**ACTION TAKEN:** \_\_\_\_\_

**Notes:**

**Agenda Date:** 03/13/2012

**Agenda Number:** 21

**Attachments:** O-1112-23 Fountain View North, Fountain View North PUD Narrative revised 1-25-12, O-1112-23 Location Map, Fountain View Rezone Staff Report, 2-9-12 PC Minutes - Fountain View North

**Project Manager:** Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

**History of Legislative File**

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	02/09/2012					
1	Planning Commission	02/09/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	<b>Action Text:</b> Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	City Council	02/28/2012	Introduced and adopted on First Reading by title only				
	<b>Action Text:</b> Introduced and adopted on First Reading by title only						
1	City Council	02/28/2012					

**Text of Legislative File O-1112-23**

Body

**BACKGROUND:** The applicant hopes to develop this tract for smaller single-family dwellings that would be marketed to “active adults” who would like to own a home with minimal yards and maintenance. The community would be gated and the interior street would be private. Each home is on its own lot, with some of the units attached. There is a community building, with amenities, centrally located in one of the common areas. Those areas have been designed to detain stormwater and eventually accommodate vegetative filtration, and provide the opportunity for trails around the different open spaces.

The particulars of this PUD include:

1. **USE** Other than the community amenities associated with the clubhouse, only single-family dwellings are permitted in this subdivision. Family Day Care homes are specifically prohibited by the PUD narrative. Seventy-two homes will be constructed, which yields a density of 4.75 dwelling units per gross acre, well within the 3-6 typically seen in single family areas.
2. **OPEN SPACE** Several common lots comprise 3.949 acres of open space area, which yields twenty-six percent common open space, far in excess of the 10-15 percent suggested by the PUD ordinance. Trails will be constructed around the detention ponds within some of the common lots.
3. **LOT DESIGN** Individual lots are clustered in groups of four to six homes, which will share a common driveway. Attached units are permitted as shown on the Site Development Plan. Non-zero side yards will be at least five feet in width, with front and rear building setbacks at least ten feet (unless impacted by a larger utility easement). Garages should maintain a twenty foot setback, to accommodate guest parking. Because of the large amount

of open space, the individual lots are relatively small, with the smallest lots around 2800-3000 square feet. A relatively high coverage factor of 75% is proposed, to allow more building flexibility.

4. HOME DESIGN Homes will be at least 1000 square feet of living space (not including garages), and will be limited to two stories in height. Masonry will comprise at least 50 percent of the exterior.

5. SALES TRAILER The PUD would allow one sales trailer to be placed near the entrance, which could remain for up to twelve months.

6. PHASES The PUD narrative states that phasing is unknown at this time, which is not a concern due to the relatively small number of lots.

**STAFF RECOMMENDATION:** This development offers a smaller single-family alternative housing type near an area of larger lots, meeting the broad goal of neighborhood diversity. No negative impacts are expected should this development be approved. Staff recommends approval of this PUD rezoning request, including the PUD narrative and preliminary Site Development Plan. The Planning Commission, by a vote of 7-0, supported this request at their February 9, 2012 meeting.



AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

- § 1. WHEREAS, Sassan Moghadam, the owner of the hereinafter described property, have made application to have the same placed in the PUD, Planned Unit Development District, and to have the same removed from the A-2, Rural Agricultural District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PUD, Planned Unit Development District, and to have the same removed from the A-2, Rural Agricultural District, to wit:

A tract of land lying in the NW/4 of Section 15, T9N, R3W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NW/C of said NW/4; THENCE South 00°19'40" East, along the West line of said Section 15 a distance of 330.00 feet to the POINT OF BEGINNING;

THENCE North 89°36'51" East a distance of 307.84 feet;

THENCE South 00°19'40" East a distance of 283.00 feet;

THENCE North 89°36'51" East a distance of 254.27 feet;

THENCE South 00°19'40" East a distance of 215.47 feet;  
THENCE North 89°36'51" East a distance of 88.03 feet;  
THENCE South 00°19'40" East a distance of 491.53 feet;  
THENCE South 89°36'51" West a distance of 80.43 feet;  
THENCE South 00°36'24" East a distance of 215.04 feet;  
THENCE North 89°30'43" West a distance of 182.82 feet;  
THENCE North 89°46'56" West a distance of 198.92 feet;  
THENCE South 89°32'06" West a distance of 189.04 feet to a point on the West  
line of said Section 15;  
THENCE North 00°19'40" West along said West line a distance of 1200.42 feet  
to the POINT OF BEGINNING.

Said tract containing 14.888 acres, more or less

§ 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

- a. The site shall be developed in accordance with the Planned Unit Development (PUD) Narrative approved February 9, 2012, the Site Development Plan (Exhibit B) and supporting documentation submitted by the applicant and approved by the Planning Commission and made a part hereof.

§ 6. Severability: If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

NOT ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

# **FOUNTAIN VIEW NORTH ADDITION**

Norman, Oklahoma

*SASSAN K. MOGHADAM*

Developer

A PLANNED UNIT DEVELOPMENT  
APPLICATION FOR REZONING AND  
PRELIMINARY DEVELOPMENT  
PLAN/PLAT

Submitted 9 January 2012  
Revised 25 January 2012

## TABLE OF CONTENTS

### I. INTRODUCTION

Background and Intent

### II. PROPERTY DESCRIPTION/EXISTING PROPERTY CONDITIONS

- A. Location
- B. Existing Land Use and Zoning
- C. Elevation and Topography
- D. Drainage
- E. Utility Services
- F. Fire Protection Services
- G. Traffic Circulation and Access

### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Single-Family Residential Community
- B. Open Space and Green Space
- C. Traffic Access/Circulation/ Sidewalks

### EXHIBITS

- A. Proposed Preliminary Plat
- B. Proposed Site Development Plan
- C. Proposed Open Space Diagram

## I. INTRODUCTION

This Planned Unit Development (the “**PUD**”) is being submitted for the development of the Fountain View North Addition (the “**Addition**”), a gated community in the City of Norman, Oklahoma. The Addition encompasses approximately 14.89 acres located generally on the east side of 48<sup>th</sup> Ave. NW, a short distance south of West Tecumseh Road. This PUD is intended to provide for greater flexibility in the careful design of the residential lots, homes, open space, utilities, drainage, recreational amenities, and circulation within the Addition. Upon completion, the PUD will provide more sustainable and environmentally friendly designs for open areas than would otherwise be attainable under conventional practices and regulations of the development guidelines of the City of Norman.

The PUD is intended to allow that necessary flexibility in order to create a distinctive open space and environmentally friendly development. Therefore, flexibility in the design and construction of roads and lot sizes is critical. This efficient compaction of developed areas within the property will allow for large amounts of natural open space.

This PUD will enhance the R-1 zoning provisions to allow for planning guidelines as further set forth herein. This PUD District will allow the necessary flexibility to create a highly desirable open-space community featuring high quality residential units, enhanced open space areas, and circulation patterns on the private road surrounding the central common open areas. The intent of the plans will allow for a gated community that focuses on the needs of mature residents for small lots of minimal yard areas within a highly secure gated facility, and with common area exterior maintenance throughout the Addition.

In order to accomplish these goals, the applicant hereby requests a rezoning of the Property. The rezoning being requested is for a Planned Unit Development (PUD). The Applicant is submitting a Rezoning Application, Preliminary Site Development Plan and Preliminary Plat for approval.

## II. PROPERTY DESCRIPTIONS; EXISTING CONDITIONS

### A. Location

Fountain View North Addition is bordered on the west by 48<sup>th</sup> Avenue NW. To the west, across 48<sup>th</sup> Ave. NW is raw land zoned A-2 Rural Agricultural and covered by the ten mile flat conservation area and flood plain. To the north of the Addition is a single family home site on the corner of 48<sup>th</sup> Avenue NW and West Tecumseh Road. To the east of the Addition are several large tracts of unplatted single family home sites. To the south of the Addition are two R-1 single family residential additions recently approved and now under construction.

### B. Existing Land Use and Zoning

The Property is currently six different smaller parcels zoned A-2 Rural Agricultural, and has previously been occupied by six different residential homes, all but two of which have been removed and leveled. The property is unplatted and each of the previous parcels were created by deed divisions and not through platting.

The Property is currently designated Floodplain on Norman 2025, however that designation has been eliminated to the south of this Addition as far south as Rock Creek Road and Ashton Grove Addition, as the flood plain areas have been recognized to not affect or cover these areas in this Addition or to the south. The property is eligible for 2025 amendment to current urban service area due to the ongoing extension of sanitary sewer and water service to this area of Norman, and due to extensive residential single family development now occurring immediately to the south of this Addition.

### C. Elevation and Topography

The Property primarily consists of relatively minimal slope land, and therefore presents a good opportunity to carefully design and implement development methodologies that will allow tightly compact residential housing lots around large open space common areas. The end result of such strategies will be additional open space and a more natural and beautified residential experience in a sustainable framework. No portion of the Property is in the 100-year flood plain.

### D. Drainage

A Drainage Impact Analysis has been prepared to better illustrate the detention requirements that are required and the solutions planned. This Addition is intended to be designed and developed substantially under similar principals of sustainable low impact development as has been previously and successfully done in recent developments in northwest Norman by this developer and residential subdivision designer. Such strategies include large amounts of open space and



detention areas in the center of the Addition that will provide efficiency in filtration of runoff water and decrease in velocity of runoff as it travels through the Addition and beyond.

A goal will be to nurture drainage areas to grow and develop into ideal drainage and filtration mechanisms within the Property. Such filtration will provide much more improved quality of water runoff than would be provided from runoff through improved artificial surfaces. In addition, the natural systems encompassing large areas of permeable natural ground where the water is drained toward and collected will allow some of the storm water to naturally filter back into the ground aquifer.

The significant care and focus on the drainage plan will feature large interior natural areas that will capture the storm water within the Property. In order to best accomplish this, lots will be planned densely in the residential lot areas of the Addition such that it will allow for the large natural areas, which also serve as open space for recreation.

**E. Utility Services**

Many of the required utility systems for the project (including water, gas, telephone, and electric) are currently being developed in relatively nearby proximity to the Property, particularly to the immediate south of this Addition in the residential subdivisions being built currently.

**F. Fire Protection Services**

Fire protection services will be provided by the City of Norman Fire Department and by developer installed fire hydrants at locations per the City of Norman regulations for such.

**G. Traffic Circulation and Access**

The Addition will be served with primary vehicular access to the Property by way of the immediately adjacent 48<sup>th</sup> Avenue NW right of way. The Addition will be a gated Addition with a gated entry and approach design that conforms to the City of Norman's gated entry requirements, and will feature internal private streets.

### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

#### A. Single-Family Residential Community

The Addition, as put forth on the proposed Preliminary Plat on **EXHIBIT A**, will consist of residential housing with 72 residential lots within 14.89 acres in the Planned Unit Development, which will result in a density of roughly 4.75 lots per acre.

##### 1. Residential Lots

The Uses permitted on the residential lots shall be as put forth under the R-1 Single Family Dwelling District in the City of Norman Zoning Ordinance, 22:421.1, except that a Family Day Care Home shall not be an allowed use.

Homes in the Addition will be standard construction, single family homes. The proposed Preliminary Site Development Plan is as shown on the attached **EXHIBIT B**. The site development plan features a tightly compact design of residential single family lots with certain homes planned to be attached at a zero setback side yard lot line, and other perimeters of the lots to maintain minimal setback yards as shown on the preliminary site development plan. Where not shown as zero lot lines, the side yard setback will be a minimum of five (5) feet, but with the allowance for chimney stacks to protrude into the setbacks. The rear and front yard setbacks shall be a minimum of ten (10) feet, except where there is an easement that is deeper in dimension and in such case the easement depth shall be the setback. Garages will be set back twenty feet to allow for guest parking.

Uncovered patios may extend to the property lines, except where conflicts with utility easements. Houses will be of standard wood frame construction, and will not exceed two stories in height above grade.

The minimum square foot area requirements for homes in the Addition shall be 1,000 square feet. This minimum figure is for living space and is exclusive of garages, covered and open porches, basements, detached structures, and breezeways.

The principal exterior of any residential structure shall be at least fifty percent (50%) masonry or stone. Each residence may include a two car garage.

Coverage of building and impervious areas on each lot shall be allowed up the areas as shown on the Preliminary Site Development Plan submitted herewith. This includes building coverages on each lot of floor area of the

residential dwelling structure up to 75% of the lot area. Total impervious area may be up to 85% of the lot area. While the individual lot coverages are on the upper end, they are offset substantially by way of the vast green space and open areas in the Addition, which account for 53.1% of the total area of the Addition.

No improvements on any lot in the Addition may be issued a permit by the City of Norman unless and until all such improvements to be permitted have been approved in writing by the applicable Property Owners Association "POA" architectural review committee.

## **2. Signage**

The entrance to the Addition, as located at the section line road of 48<sup>th</sup> Avenue NW, may contain entryway signs and associated walls, fences and decorative features that will identify the Addition. The signs will conform to current City signage requirements (16 square feet per sign, for a total of 32 square feet). The signs may be lighted and landscaped with appropriate vegetation and planters designed so as not to interfere with traffic sight lines.

## **3. Fencing**

A fence will be constructed along the lot lines of the residential lots that abut the borders of the Addition in this gated community. Construction material may be a combination of masonry, metal/iron, and/or wood, so long as the design of all such fencing is approved by the applicable Property Owners Association "POA" architectural review committee prior to installation. Construction of fencing may be phased along with the development of the PUD.

The streetscape along 48<sup>th</sup> Avenue, as it faces the home sites north of the entryway shall feature the fencing as required and landscaping as necessary to provide adequate screening along the arterial, all as installed per the Greenspace Exhibit C hereto.

## **4. Amenities**

The Addition is planned to feature large private interior open spaces with walking trails. These trails are planned to be of varying widths and styles, from unpaved natural type with minimal artificial improvement to constructed trails of hard paved surface.

Park land will be provided as required per the City of Norman ordinances. The proposed parkland will be private park land within the Addition, containing far in excess of the required acreage.

Block 5 within the Addition, may be used for a common area clubhouse facility. Such facility may include uses typical with common homeowner neighborhood association clubhouse facilities, such as but not limited to, swimming pools, office, fitness center, meeting rooms, party rooms, kitchen, restrooms, storage areas, equipment rooms, parking lots, recreational uses, game rooms, and the like.

**5. Sales Trailers**

The Developer shall have the option of placing no more than one temporary trailer (manufactured unit will meet City code) will be allowed for use by sales representatives for the new homes being built in the Addition. Any such facility will have a reasonable parking area for customers per City specifications. The trailer will be removed 12 months from the date it is placed on the Addition. The trailer will be located within 500 feet of the Addition entrance.

**6. Drive lanes**

The drive lanes from the interior private street into each garage and driveway on each lot shall provide for cross access by right of easement across each lot as necessary for each lot to fully access the private streets of circulation in the Addition.

The Property Owners Association in the Addition shall be vested with the right to prohibit parking along certain areas of the interior streets.

**B. Open space and green space**

Large open space areas are located throughout the center of the middle of the Addition. Open space totals roughly 8.042 acres in the 14.89 acre Addition, or roughly 53.1% of the Addition land area.

A homeowners association will be formed in order to provide a tool to manage the common areas of the Addition and to provide heightened governance of the residents and construction within the Addition. Common lots within the subdivision total 3.949 acres, roughly 26% of the Addition.

Any lighting over any common area will be shielded from adjacent single-family homes and will have 20-foot tall poles. Decorative street lights will be allowed, at the option of the Developer, within the PUD, in the common areas, and along the streets of the PUD.

**C. Traffic access/circulation/sidewalks**

Primary vehicular access to the Property will be provided by way of the adjacent 48<sup>th</sup> Avenue NW right-of-way. The entry at 48<sup>th</sup> Avenue will be gated with controlled access. The gated entryway will be designed according to City of Norman standards and will accommodate turnaround space for vehicles to return to 48<sup>th</sup> Avenue NW without entering the gates if necessary.

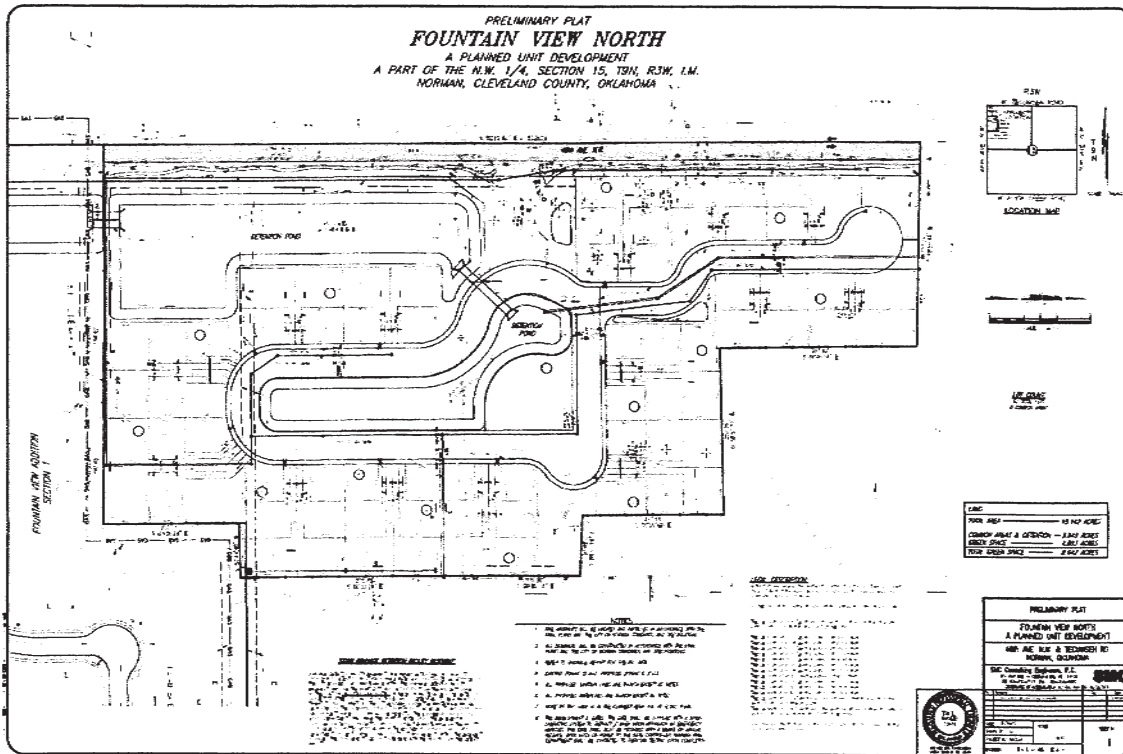
Landscape buffers will accommodate all City of Norman traffic department sight triangle requirements. All internal streets will have adequate circulation necessary for the fire department and City Waste Management Services.

A five-foot wide City sidewalk will be provided along 48<sup>th</sup> Avenue NW, constructed to City of Norman Standards.

**D. Development Phasing**

Market demand will be the determining factor in the number of units constructed and phases of such.

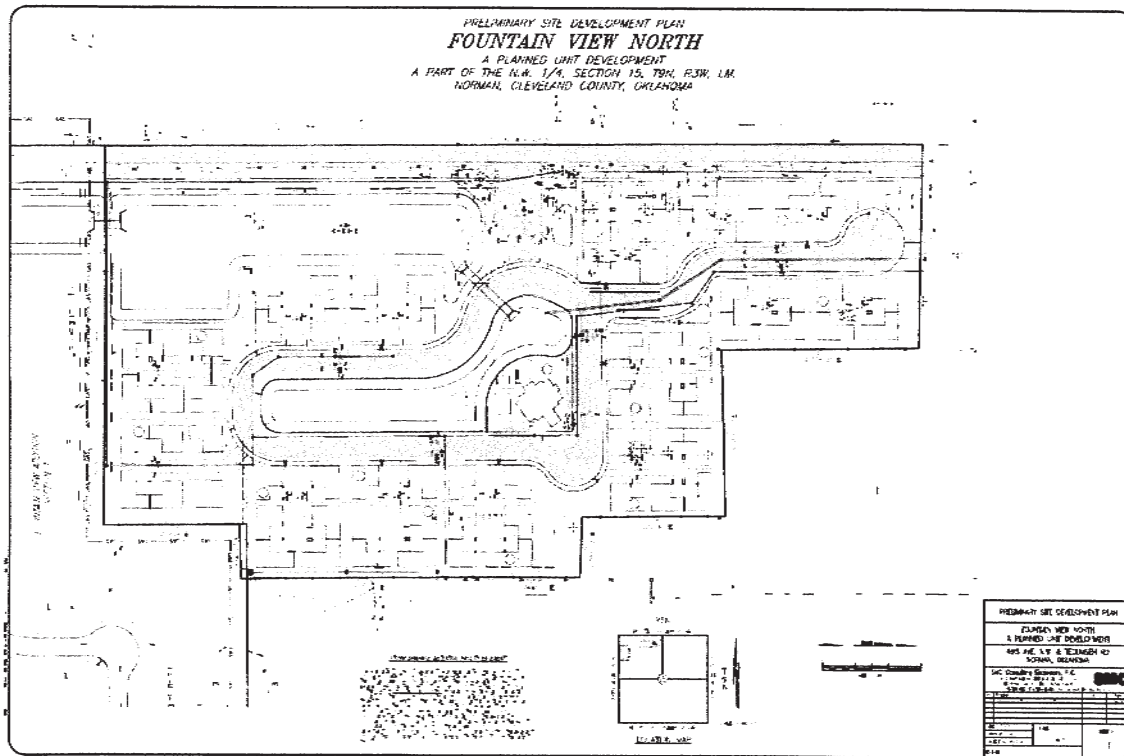
### Proposed Preliminary Plat



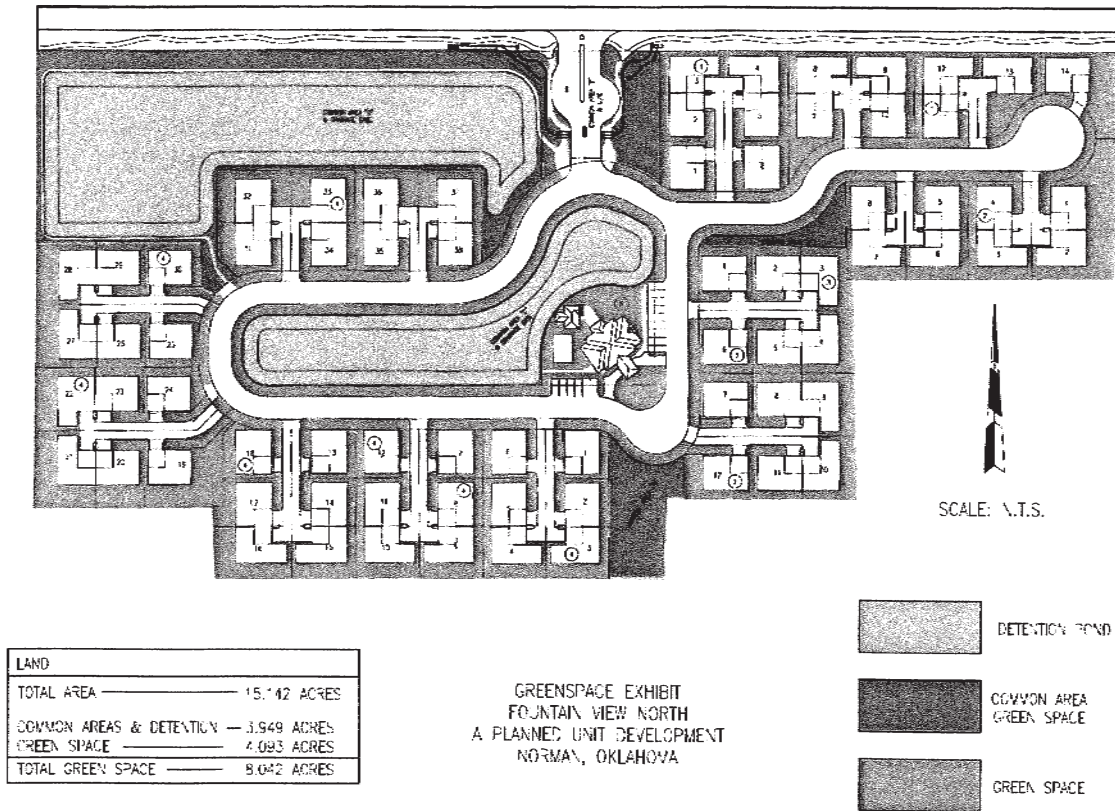


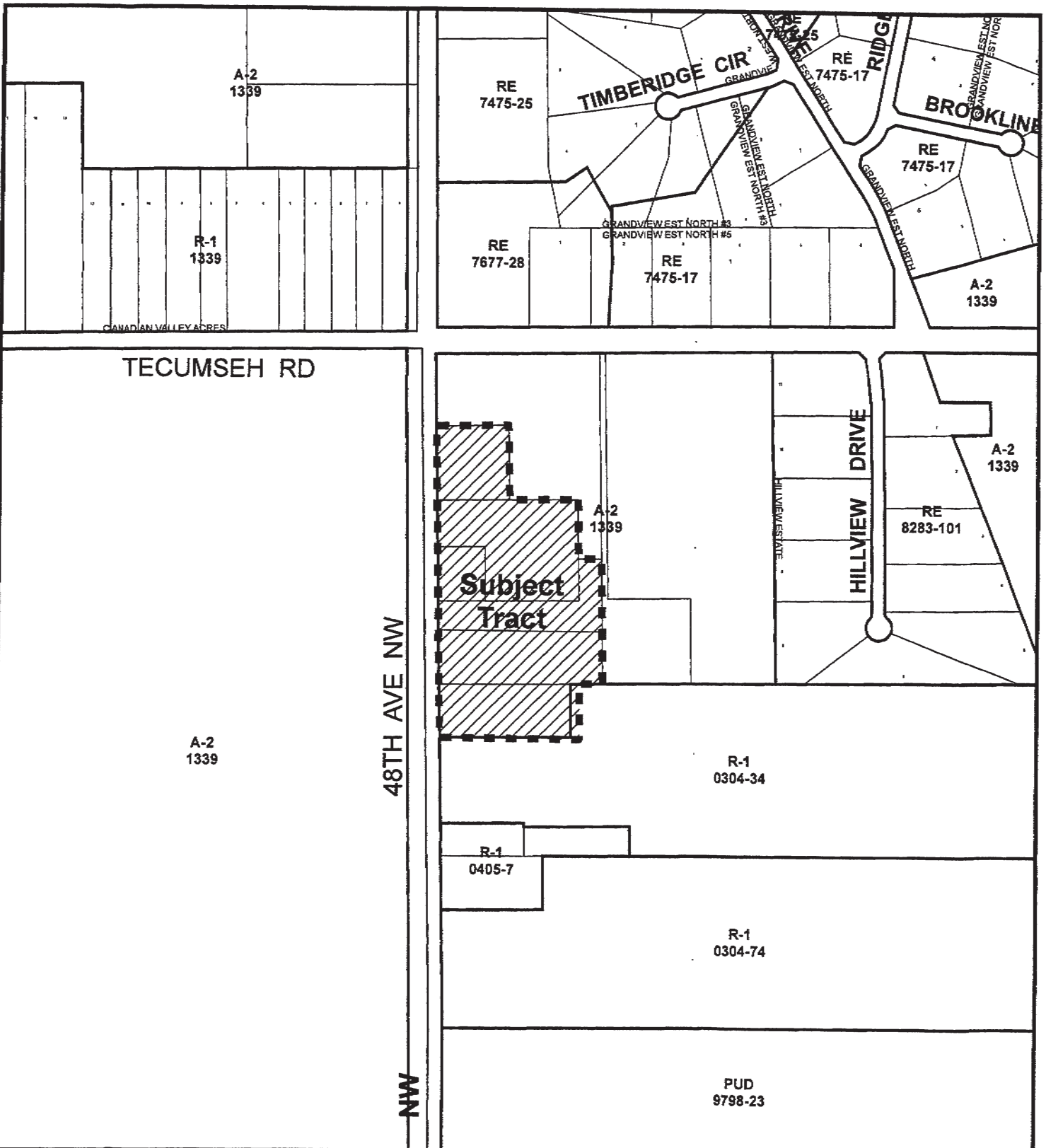
## EXHIBIT B

### Site Development Plan



# **EXHIBIT C** Proposed Open Space Diagram





# Location Map





Map Produced by the City of Norman  
Geographic Information System.  
(405) 386-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



January 17, 2012

0 250 500 Ft.

 Subject Tract  
 Zoning

---

ORDINANCE NO. O-1112-23

ITEM NO. 9b

---

**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Sassan Moghadam
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: A-2 East: A-2 South: R-1 West: A-2
LOCATION	East of 48 <sup>th</sup> Avenue N.W. approximately 330 feet south of Tecumseh Road
SIZE	15.142 acres more or less
PURPOSE	Active Adult Community
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Single-Family Dwelling East: Single-Family Dwellings South: (proposed) Single-Family Dwellings West: Vacant farmland

**SYNOPSIS:** The applicant hopes to develop this tract for smaller single-family dwellings that would be marketed to "active adults" who would like to own a home with minimal yards and maintenance. The community would be gated and the interior street would be private. That road would provide access to all of the homes, which are either detached or attached single-family units. Each home is on an individual lot. There is a central community building, with amenities, located in one of the common areas. Those areas will have been designed to detain stormwater and eventually accommodate vegetative filtration, and provide the opportunity for trails around the different open spaces.

**ANALYSIS:** The particulars of this PUD include:

1. USE Other than the community amenities associated with the clubhouse, only single-family dwellings are permitted in this subdivision. Family Day Care homes are specifically prohibited by the PUD narrative. Seventy-two homes will be constructed,

which yields a density of 4.75 dwelling units per acre, well within the 3-6 typically seen in single family areas.

2. **OPEN SPACE** Several common lots comprise 3.949 acres of open space area, which yields twenty-six percent common open space, far in excess of the 10-15 percent suggested by the PUD ordinance. Trails will be constructed around the detention ponds within some of the common lots.
3. **LOT DESIGN** Individual lots are clustered in groups of four to six homes, which will share a common driveway. Attached units are permitted as shown on the Site Development Plan. Non-zero side yards will be at least five feet in width, with front and rear building setbacks at least ten feet (unless impacted by a larger utility easement). Garages should maintain a twenty foot setback, to accommodate guest parking. Because of the large amount of open space, the individual lots are relatively small, with the smallest lots around 2800-3000 square feet. A relatively high coverage factor of 75% is proposed, to allow more building flexibility.
4. **HOME DESIGN** Homes will be at least 1000 square feet of living space (not including garages), and will be limited to two stories in height. Masonry will comprise at least 50 percent of the exterior.
5. **SALES TRAILER** The PUD would allow one sales trailer to be placed near the entrance, which could remain for up to twelve months.
6. **PHASES** The narrative states that phasing is unknown at this time, which is not a concern due to the relatively small number of lots.

#### **ALTERNATIVES/ISSUES:**

- **IMPACTS** The proposed use is smaller single-family dwellings, which will complement the newer nearby subdivisions currently under development. According to the traffic analysis, 43 peak hour trips are expected, which all directly access 48<sup>th</sup> Avenue. No adverse traffic impacts are expected.
- **ACCESS** The subdivision will be gated, and the gate design meets the city standard for private gates.
- **SITE PLAN** The design of the plat only resulted in seven lots directly abutting 48<sup>th</sup> Avenue, where the highest impact from road noise would occur. A large open space/detention pond provides a buffer for all the other lots which have their rear yards oriented to the west. The home sites are small "lot clusters" which share a driveway. Each driveway connects to a curvilinear street which surrounds a large central open space.

#### **OTHER AGENCY COMMENTS:**

- **PARK BOARD** Private park land is proposed within the subdivision. At the time of building permit issuance, each lot owner will contribute to the community park fund.
- **PUBLIC WORKS** The internal roads have been designed as local streets, with 26 feet of pavement.

**STAFF RECOMMENDATION:** This development offers a smaller single-family alternative housing type near an area of larger lots, meeting the broad goal of neighborhood diversity. No negative impacts are expected should this development be approved. Staff recommends approval of this PUD rezoning request, including the PUD narrative and preliminary Site Development Plan.



**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 9, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

\* \* \*

Item No. 1, being:  
**ROLL CALL**

**MEMBERS PRESENT**

Dave Boeck  
Cynthia Gordon  
Diana Hartley  
Chris Lewis  
Curtis McCarty  
Robertta Pailles  
Andy Sherrer

**MEMBERS ABSENT**

Jim Gasaway  
Tom Knotts

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*

Item No. 9, being:

**CONSIDERATION OF A REQUEST SUBMITTED BY SASSAN MOGHADAM FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD.**

**9A. RESOLUTION NO. R-1112-111 – SASSAN MOGHADAM REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-04) FROM FLOODPLAIN DESIGNATION TO LOW DENSITY RESIDENTIAL DESIGNATION FOR 14.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report

**9B. ORDINANCE NO. O-1112-23 – SASSAN MOGHADAM REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT, FOR 14.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 LINEAL FEET SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. PUD Narrative

**9C. PP-1112-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SASSAN MOGHADAM (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW NORTH ADDITION, A PLANNED UNIT DEVELOPMENT, TO THE CITY COUNCIL.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Site Development Plan
5. Preliminary Plat
6. Pre-Development Summary
7. Greenbelt Enhancement Statement
8. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Mr. Koscinski reported we included the first item as almost perfunctory. We have new flood maps that essentially stop the floodplain at 48<sup>th</sup> Avenue. Obviously, the adoption of those maps didn't affect our long-range plan, so we've added this item simply to clarify the record. As you can see, it doesn't address all of the floodplain on the Plan map, but the maps indicate it is no longer in a floodplain. The actual rezoning is for a Planned Unit Development of single-family homes on very small lots with reduced building setbacks. Current zoning is A-2. They are proposing a PUD. They are individual homes on individual lots. There are still two remaining homes on the property that will be removed, but the rest of the structures have been cleared from the site. North of the site there is a large existing home, fairly close to Tecumseh Road on a fairly large tract. To the east is a very large home on a very large tract, with a big barn. To the south will be a couple of hundred homes of standard single-family development. When Ashton Grove developed, they put in a lift station which remedied a capacity problem, which has allowed all these subdivisions to start developing. Across the street is State school land that is currently being leased for farm purposes. Staff believes that this is an acceptable use. The density is 4.75, which is slightly high, but still well within the single-family range. The roads will be private and it is a gated subdivision. There is a fair amount of open space, with about a 4-acre common area, with more green area in the plat. It is far in excess of what would have been required under a standard PUD guidance. Building setbacks are variable; there is a 20' setback

for any garage. There is some on-site parking for visitors. Staff recommends approval of the Plan change, the rezoning, and the preliminary plat. There were no filed protests on this request.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Drive, representing the applicant – Mr. Koscinski introduced this pretty thoroughly. A-2 zoning is the current zoning, but don't be mistaken about that – this is all shifting to developed areas of Norman with Fountain View Section 1 to the south, Ten Mile Flats to the west. There are two additions being built right now that are fully platted and will be occupied and in use in no time. Our addition is right to the north. Several of the homes have been removed in anticipation of development. There is large open space on this. This is designed to be an adult, gated community with minimal yards and minimal maintenance, with a central community space and a central building, behind a gated entrance. The gated entrance will be per the City of Norman design. If you add up all the green space and detention areas, it is 54% open space, which is simply enormous for an addition. Here is a graphic of the site plan. The gated entry comes off 48<sup>th</sup> Avenue. There is a large clubhouse in the middle with the homes spinning around it. There are common driveways into the homes. Some of the homes are attached. These folks will not want large lots – they want very minimal maintenance on their properties. The private street circulates around the interior. This is a nice compliment to what is happening around it, with a much different type of use. Staff supports the proposed use of smaller single-family dwellings which will compliment the newer nearby subdivisions currently under development. No adverse traffic impacts. No negative impacts. No protests. Only a couple people came to Pre-Development. Richard McKown has done a lot of work on this subdivision. He sent these into me just a little while ago, and I thank Larry for putting them on the screen with only about 15 minutes of time to spare. This gives you a much closer detailed look at what is being proposed here through Richard's designs. You see how some of them are connected and some of them are free-standing. There is a really nice design coming off of 48<sup>th</sup> Avenue into this development.

2. Ms. Pailles commented that in driving out there and looking at the development to the south, the detention ponds parallel 48<sup>th</sup> Avenue and they're full. On the corner is a private home that has a pond, which is also full. There is no creek running into this and it looks like those bodies of water are basically ground water and that is the water table. It looks like a very high water table. Places in Norman that have been built on a high water table there have been problems with unstable foundations and problems with sewer pipes backing up.

3. Tom McCaleb – Ms. Pailles is correct. That is the water table. This area has been studied a lot in the last several years. They didn't know exactly where the water table was until they started digging and found it. They have also encountered some other strata in the development that they've had to accommodate. Where the bottom of the detention pond was previously planned is the water table, so it was designed perfectly. The water table maintained that level throughout last summer with no rain. They have had only one experience where they had water that came from high on a hill; that has been captured into a conduit. Almost all the sewer is in place. When sewer was installed along 48<sup>th</sup> Avenue, they had to dewater all the time. No other problems have been encountered on the development.

4. Ms. Hartley asked about the requirement for a fee in lieu of park land. Mr. Rieger responded that residential developments are required to do one of three things: 1) dedicated public park space, 2) pay fee in lieu of, or 3) provide private park land.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to recommend approval of Resolution No. R-1112-111, Ordinance No. O-1112-23, and approval of the Preliminary Plat for FOUNTAIN VIEW NORTH ADDITION, A Planned Unit Development, to the City Council. Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailles, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Jim Gasaway, Tom Knotts

Ms. Tromble announced that the motion to recommend approval of Resolution No. R-1112-111, Ordinance No. O-1112-23, and approval of the Preliminary Plat for FOUNTAIN VIEW NORTH ADDITION, A Planned Unit Development, to the City Council, passed by a vote of 7-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: PP-1112-9**

<b>File ID:</b> PP-1112-9	<b>Type:</b> Preliminary Plat	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 22	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 01/30/2012
<b>File Name:</b> Fountain View North Prelim Plat	<b>Final Action:</b>	

**Title:** CONSIDERATION OF A PRELIMINARY PLAT FOR FOUNTAIN VIEW NORTH ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

**ACTION NEEDED:** Motion to approve or reject a preliminary plat for Fountain View North Addition, a Planned Unit Development District.

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 22

**Attachments:** Attachment A-Traffic Capacity Analysis, Fountain View North Location Map, Fountain View North Prelim Plat Staff Report, Fountain View North - Preliminary Plat, Fountain View North Prelim Plat (no topo), Fountain View North Site Devel Plan, Fountain View North Pre-Dev Summary, Greenbelt Enhancement Statement, GBC 11-24 Fountain View Addition Section 4- Comments to PC, 2-9-12 PC Minutes - Fountain View North

**Project Manager:** Ken Danner, Subdivision Manager

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	02/09/2012					
1	City Council Planning and Community Development Committee	02/09/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
<b>Action Text:</b> Recommended for Adoption at a subsequent City Council Meeting to the City Council							

**Text of Legislative File PP-1112-9**

Body

**BACKGROUND:** This item is a preliminary plat for Fountain View North Addition, a Planned Unit Development (PUD), and is generally located east of 48th Avenue N.W. approximately 330 feet south of West Tecumseh Road. This property consists of approximately 15.142 acres, 72 residential lots, 1 clubhouse lot and 8 acres of open space that consist of storm water detention ponds, common area and landscaping.

The Norman Board of Parks Commissioners, at its meeting of February 2, 2012, recommended fee in lieu of park land dedication.

Planning Commission, at its meeting of February 9, 2012, recommended to City Council that this property be placed in the Low Density Residential Designation from Flood Plain Designation and that this property be placed in a Planned Unit Development (PUD) and removed from A-2 zoning classification.

Planning Commission, at its meeting of February 9, 2012, recommended to City Council the approval of the preliminary plat for Fountain View North Addition, a Planned Unit Development.

**DISCUSSION:** The Fountain View North Addition is a 72-unit senior adult housing subdivision proposed for a location to the south and east of the intersection of 48th Avenue NW and Tecumseh. This development is expected to generate approximately 410 trips per day or 42 peak hour trips. As such, the trip generation potential for this development is below the threshold for when a traffic impact study is required. In addition, this area was recently studied by another development project and requiring a traffic impact study would not yield any new information. Rather, the level of responsibility from the previous traffic study (J&J Properties) will be utilized to assess the responsibility for signalizing the intersection of 48th Avenue NW with Tecumseh Road. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. (See Attachment A).

The J&J Properties traffic study determined that 64% of the costs associated with the signalization of the 48th Avenue NW and Tecumseh Road intersection were attributable to non-City sources. For the \$150,000 anticipated design and construction costs for this project, \$96,000 will be contributed by non-City sources. From the total traffic using the intersection in the J&J Properties traffic study, there are 1,121 peak hour, non-City responsible trips. Adding the Fountain View North traffic to this number will allow the determination that the Fountain View North project contributes 1.84% of the non-City responsible traffic through this intersection. Applying this percentage to the \$96,000 non-City share of the signalization costs for the intersection yields traffic impact fees attributable to the Fountain View North project of \$1,765.32.



Public improvements for this property consist of the following:

Fencing. Fencing (screening) will be installed adjacent to 48th Avenue N.W.

Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.

Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

Sidewalks. Although private streets, the owner/developer proposes interior sidewalks. Sidewalks will be constructed adjacent to 48th Avenue N.W. Staff may recommend deferral of these sidewalks with final platting.

Drainage. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facilities will be constructed for the conveyance of storm water. A property owners association will be established for the maintenance of the detention facilities.

Streets. Forty-eighth Avenue N.W. will be constructed in accordance with approved plans and City paving standards. A determination for deferral of 48th Avenue N.W. will be made with final platting. The proposed private interior streets will be installed to City standards.

Traffic Signal and Intersection Improvements. The applicant will be required to fund a portion of the cost of improvements to signalize the intersection of Tecumseh Road with 48th Avenue NW. The J&J Properties traffic study determined that 64% of the costs associated with the signalization of this intersection were attributable to non-City sources. For the \$150,000 anticipated design and construction costs for this project, \$96,000 would be contributed by non-City sources. From the total traffic using the intersection in the J&J Properties traffic study, there are 1,121 peak hour, non-City responsible trips. Adding the Fountain View North traffic to this number will allow the determination that the Fountain View North project contributes 1.84% of the non-City responsible traffic through this intersection. Applying this percentage to the \$96,000 non-City share of the signalization costs for the intersection yields traffic impact fees attributable to the Fountain View North project of \$1,765.32.

Water Mains. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards. A 12" water main has been installed adjacent to 48th Avenue N.W. and is connected to a 12-inch water main at Tecumseh Road. Interior water lines will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting. The Property Owners Association will be responsible for mowing the right-of-way.

**STAFF RECOMMENDATIONS:** This property is proposed as a gated development. Private streets will be constructed. The main entrance to 48th Avenue N.W. utilizes the private gate design approved with previous developments. Staff recommends approval of the preliminary plat for Fountain View North Addition, a Planned Unit Development, subject to the approvals of R-1112-111 and Ordinance No. O-1112-23.

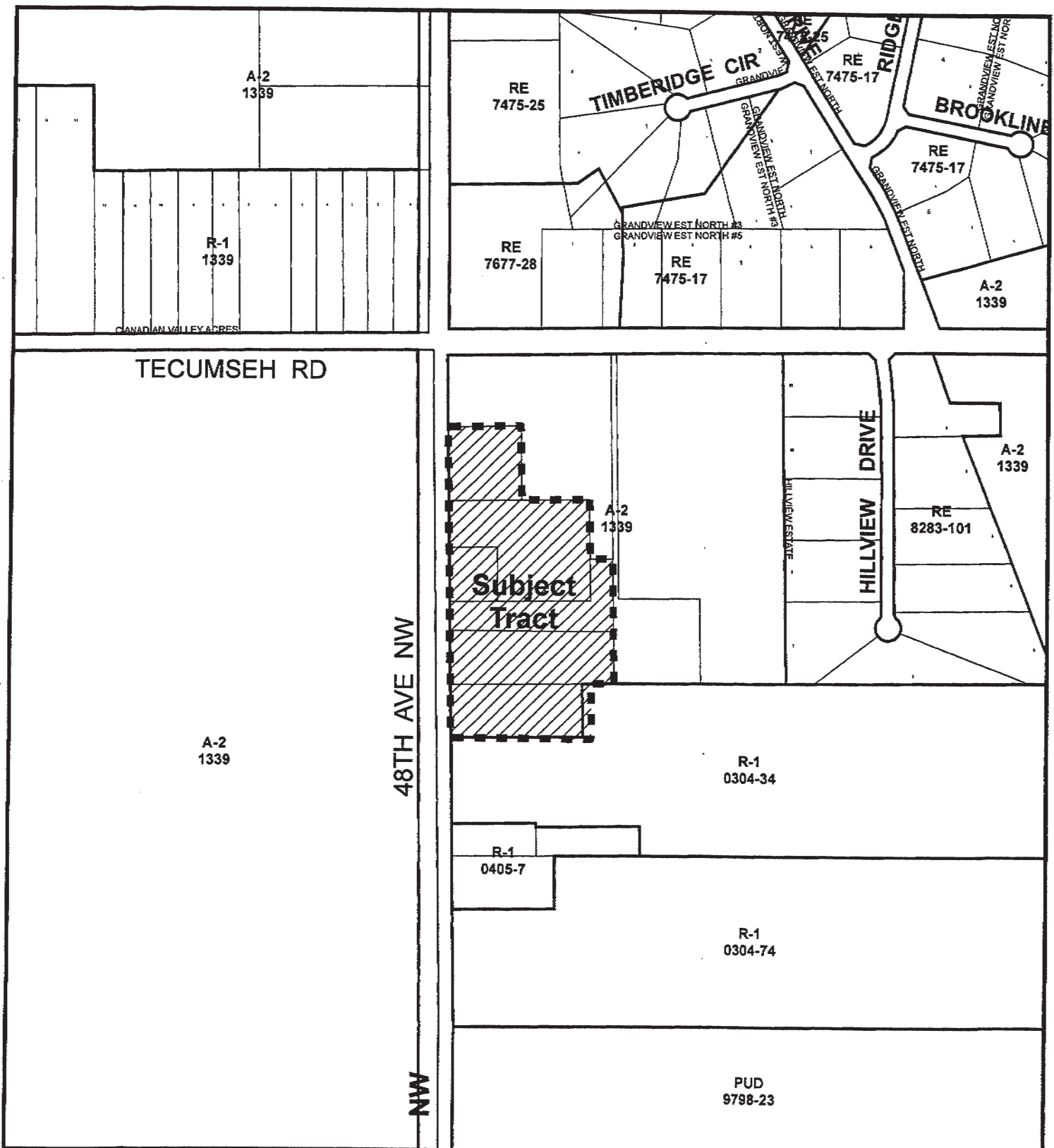
## ATTACHMENT A

### FOUNTAIN VIEW NORTH ADDITION Preliminary Plat

STREET	NO. OF LANES	EXISTING TRAFFIC * (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Tecumseh Road	4	9,323	103	9,426	34,200	27.26	27.56
48 <sup>th</sup> Avenue NW	2	9,925	102	10,027	17,100	58.04	58.64

\* The distribution of site traffic was assumed to be 50 percent through the intersection of 48<sup>th</sup> Avenue NW with Tecumseh and equally split between the two roadways.

\*\* This includes traffic from the proposed J&J Properties development.



# Location Map





Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5316  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



January 17, 2012

0 250 500 Ft.

 Subject Tract  
 Zoning

---

PRELIMINARY PLAT

ITEM NO. 9c

---

**STAFF REPORT**

**ITEM:** Consideration of a PRELIMINARY PLAT FOR FOUNTAIN VIEW NORTH ADDITION.

**LOCATION:** Generally located on the east side of 48<sup>th</sup> Avenue NW and approximately 330-feet south of West Tecumseh Road.

**INFORMATION:**

1. Owners. Sassan Moghadam.
2. Developer. Sassan Moghadam.
3. Engineer. SMC Consulting Engineers, P.C.

**HISTORY:**

1. October 21, 1961. City Council adopted Ordinance No. 1320 annexing this property into the City of Norman.
2. December 19, 1961. Planning Commission recommended that this property be placed in the A-2, rural agricultural zoning classification.
3. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2 zoning classification.
4. February 2, 2012. The Norman Board of Parks Commissioners is scheduled to consider the preliminary plat for Fountain View North Addition to recommend park land or fee in lieu of park land. Results of that recommendation will be presented separately.
5. February 9, 2012. The applicant has made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Flood Plain Designation to Low Density Residential Designation.

6. February 9, 2012. The applicant has made a request to place this property in the Planned Unit Development and remove it from A-2 zoning classification.

**IMPROVEMENT PROGRAM:**

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.
4. Sidewalks. Sidewalks will be constructed adjacent to 48<sup>th</sup> Avenue N.W. The owner/developer proposes sidewalks adjacent to the private streets.
5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Detention facilities will be constructed throughout the development. They will be maintained by a Property Owners Association.
6. Streets. Although private, interior streets will be constructed in accordance with approved plans and City paving standards. Currently 48<sup>th</sup> Avenue N.W. is designated as a minor arterial street and will be constructed as a collector street.
7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards. An off-plat 12-inch water main has been extended and connected to an existing 12-inch main parallel to West Tecumseh Road.

**PUBLIC DEDICATIONS:**

1. Easements. All required easements will be dedicated to the City on the final plat.
2. Rights-of-Way. All street rights-of-way will be dedicated to the City on the final plat.

**SUPPLEMENTAL MATERIAL:** Copies of a location map, preliminary site development plan and preliminary plat are included in the Agenda Book.

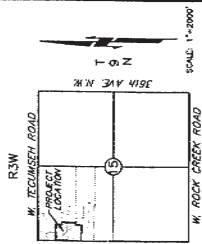


**STAFF COMMENTS AND RECOMMENDATION:** This property consists of 62 single-family residential lots and several open space lots that will be maintained by a mandatory Property Owners' Association. Staff recommends approval of the preliminary plat for Fountain View North Addition subject to the approval of the rezoning request.

**ACTION NEEDED:** Recommend approval or disapproval of the preliminary plat for Fountain View North Addition to City Council.

**ACTION TAKEN:** \_\_\_\_\_

A PLANNED UNIT DEVELOPMENT  
A PART OF THE N.W. 1/4, SECTION 15, T9N, R3W, I.M.  
NORMAN, CLEVELAND COUNTY, OKLAHOMA



LAND	
TOTAL AREA	14,888 ACRES
COMMON AREAS & DETENTION	3,949 ACRES
GREEN SPACE	4,093 ACRES
TOTAL GREEN SPACE	8,043 ACRES

**OWNER/DEVELOPER**  
SASSAN K. MOHAMMAD  
271 40th AVE. N.W.  
MINNEAPOLIS, MN 55412  
(612) 379-9834

## PRELIMINARY PLAT

**FOUNTAIN VIEW NORTH  
A PLANNED UNIT DEVELOPMENT  
48th AVE. N.W. & TECUMSEH RD.  
NORMAN, OKLAHOMA**

**SMC Consulting Engineers, P.C.**  
815 West Main • Oklahoma City, OK 73104

[illegible]

**LEGAL DESCRIPTION:**  
A tract of land lying in the Northwest Quarter of Section 13, Township 8 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma having more or less, being described as follows:

MEASURE SOUTH OF 19'30" FEET, ALONG THE WEST LINE OF SOUTHWEST QUARTER, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

Distance North 85° 36' 31" East, rounded south (the north end of said Northwest Quarter, a distance of 307.84 feet.

Section 10: 140.0'± E 2.5'± portion with the west line of road Northwest corner, a distance of 263.00 feet.

Section 11: 140.0'± E 2.5'± portion with the north line of road Northwest corner, a distance of 254.77 feet.

SEANCE South NO<sup>1</sup> 19° 40' East, parallel with the west line of road Northwest  
distance, a distance of 215.47 feet.

SEANCE North 89° 36' 31" East, parallel with the north line of road Northwest  
distance, a distance of 48.18 feet.

South 28° 19' 10" E 10.20 m; and, 2nd, North 98° 52' 51" E 10.20 m; a distance of 382.26 feet.

corner, a distance of 0.35 feet  
 SENCE, South 02°18'40" East, parallel with the west line of said Northwest  
 corner, a distance of 203.67 feet;  
 SENCE, South 02°26'57" West, parallel with the north line of said Northwest

distance of 23.43 feet.

18°12'N 89°47'48" West, a distance of 140.92 km;  
18°12'N 89°21'14" West, a distance of 129.04 km to a point on the  
151 km of old Northwest Quarter;  
18°12'N 89°19'40" West, along the west line of said Northwest Quarter, a

and described trend of bond maturities & gross debt of 1940-1950 shows level of 1,200.42 level in the field of returns

[illegible]

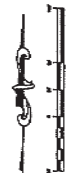
NOTES

- [illegible]

STORM DRAINAGE DETENTION FACILITY EASTMENT

[illegible]

A PLANNED UNIT DEVELOPMENT  
A PART OF THE N.W. 1/4, SECTION 15, T9N, R3W, I.M.  
NORMAN, CLEVELAND COUNTY, OKLAHOMA



STOWN NEWTON  
COMMON ARMS  
5107 TWIN IS  
JANCO 107  
LOT COUNT

LAND	
TOTAL AREA	15,142 ACRES
COMMON AREAS & DETENTION	1,949 ACRES
GREEN SPACE	4,003 ACRES
TOTAL GREEN SPACE	6,043 ACRES

**ELEMENTARY PLAT (NO TOPO)**

FOUNTAIN VIEW NORTH  
A PLANNED UNIT DEVELOPMENT  
18th AVE. N.W. & TECUMSEH RD.

1

**ISAC Consulting Engineers, P.C.**

**COMES**

611 West Main - Oklahoma City, OK 73104  
 Tel 405-523-7711 Fax 405-523-7904  
 COUNCIL OF AMERICANS NO. 25, 26, 27

7	Date

\_\_\_\_\_

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

SAULT INC.

11/10/09	10:00
----------	-------

1

400425 : 000 1307

1

2024

LEGAL DESIGNEE: A part of land lying in the Northwest Quarter of Section 15, Township 8 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma during more or less the period described as follows:

COMMISSIONER of the Northwest corner of the Northwest Quarter of said Section 15.

Year	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

Run	Start	End	Distance	Time	Speed
1	00:00:00	00:00:10	100	10.00	10.00
2	00:00:10	00:00:20	200	20.00	20.00
3	00:00:20	00:00:30	300	30.00	30.00
4	00:00:30	00:00:40	400	40.00	40.00
5	00:00:40	00:00:50	500	50.00	50.00
6	00:00:50	00:01:00	600	60.00	60.00
7	00:01:00	00:01:10	700	70.00	70.00
8	00:01:10	00:01:20	800	80.00	80.00
9	00:01:20	00:01:30	900	90.00	90.00
10	00:01:30	00:01:40	1000	100.00	100.00

Distance of 6,090.27 feet to the RIGHT OF BEARING.

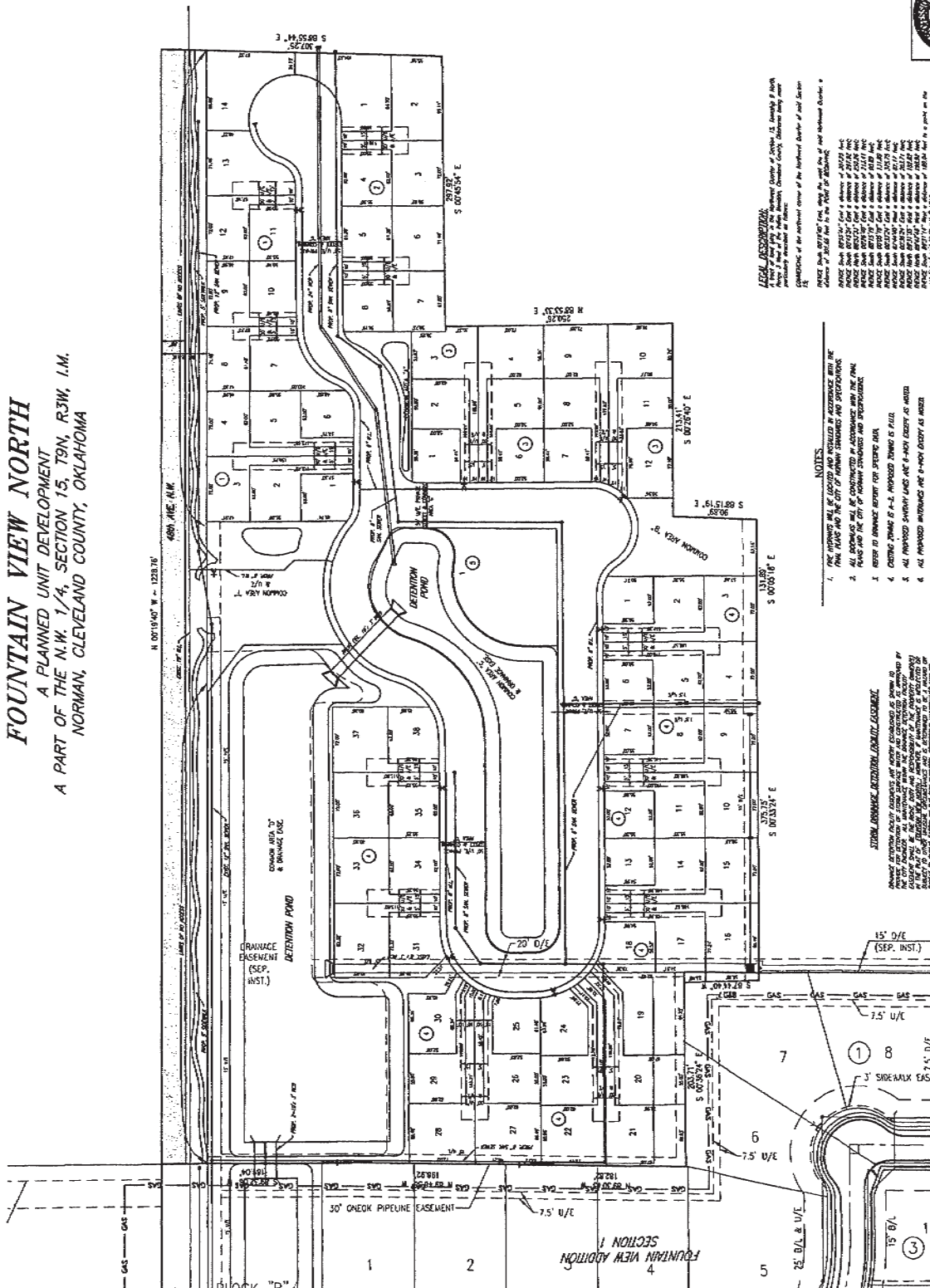
[illegible][illegible]

NOTES

- [illegible]

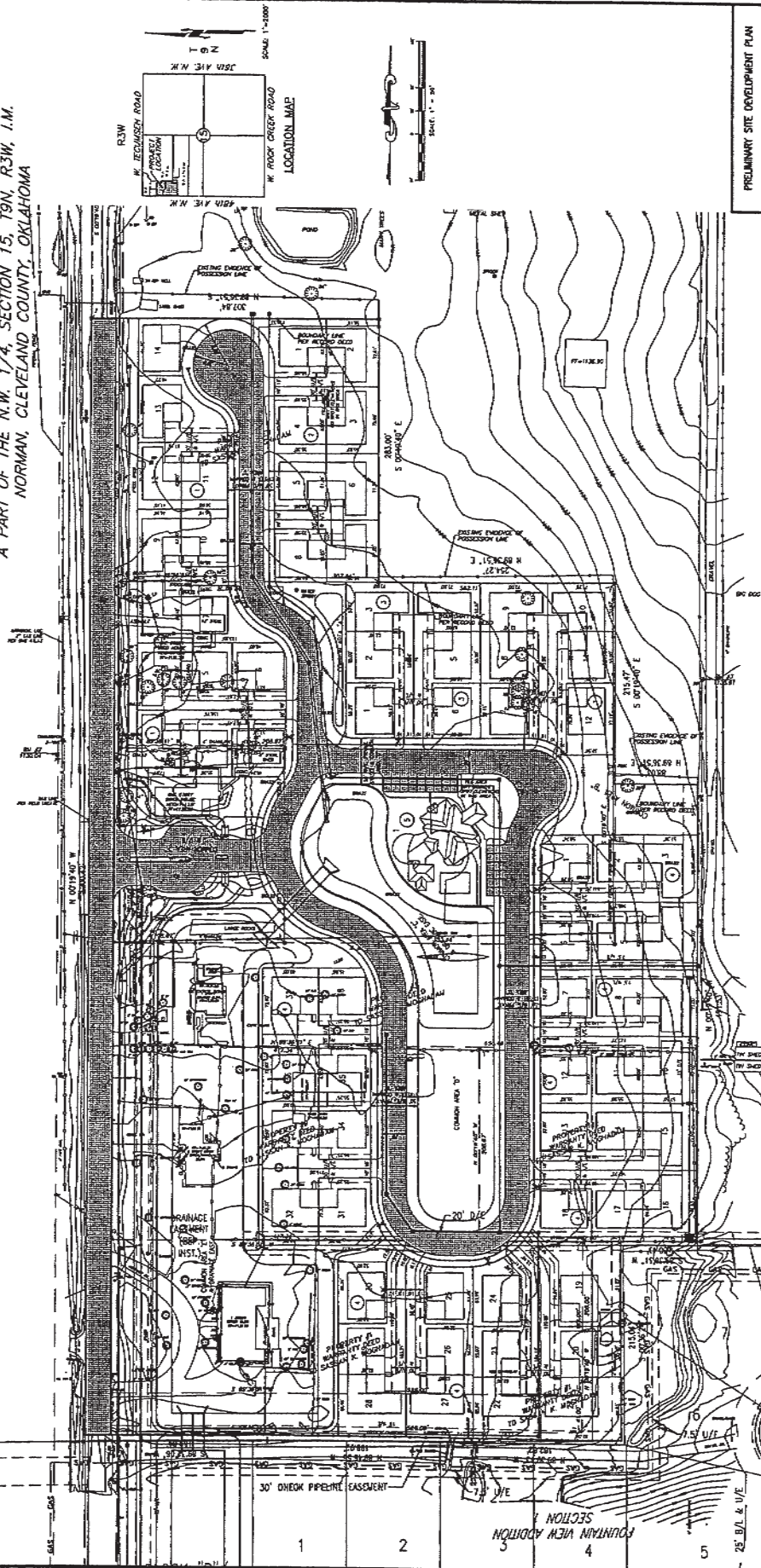
*THEORY AND PRACTICE OF THE ARTS*

showed that the facility's residents are not merely considered as "bodies" for the extraction of storm sewage waste and constructed as "passive" recipients of the facility's services. The residents are also perceived as "active" participants in the facility's operations. The facility's management is particularly interested in the residents' "attitudes" towards the facility, and is determined to be a "model of service" to the residents. The facility's management is also determined to be a "model of service" to the residents. The facility's management is also determined to be a "model of service" to the residents.





PRELIMINARY SITE DEVELOPMENT PLAN  
**FOUNTAIN VIEW NORTH**  
 A PLANNED UNIT DEVELOPMENT  
 A PART OF THE N.W. 1/4, SECTION 15, 19N, R3W, I.M.  
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



NOTES:  
 1. ALL SETBACKS AND DIMENSIONS ARE TO BE MEASURED FROM THE EXISTING GRADE UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS ARE TO BE MEASURED FROM THE EXISTING GRADE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO BE MEASURED FROM THE EXISTING GRADE UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS ARE TO BE MEASURED FROM THE EXISTING GRADE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS ARE TO BE MEASURED FROM THE EXISTING GRADE UNLESS OTHERWISE NOTED.

PRELIMINARY SITE DEVELOPMENT PLAN	
FOUNTAIN VIEW NORTH	
A PLANNED UNIT DEVELOPMENT	
48TH AVE. N.W. & TEGANSH RD.	
NORMAN, OKLAHOMA	
SMC Consulting Engineers, P.C.	
1111 West Main - Norman, Ok. 73104	
TEL: 843-1111 FAX: 843-1112	
PROJECT NO. 22-8	
DATE: 11/1/87	
SHEET NO. 1	
SCALE: 1" = 30'	
DRAWN BY: JCM	
CHECKED BY: JCM	
APPROVED BY: JCM	

<b>Applicant</b>	Sassan Moghadam
<b>Location</b>	Generally located on the east side of 48 <sup>th</sup> Avenue NW approximately 613 feet south of Tecumseh Road
<b>Case Number</b>	PD 11-35
<b>Time</b>	5:30-6:00 PM

<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>Phone</b>
Ole Marcussen	Applicant Engineer	815 W Main Oklahoma City, OK 73106	232-7715
Richard McKown	Designer	4409 Cannon Dr.	637-8742
Sassan Moghadam	Owner/Developer	221 48 <sup>th</sup> Avenue NW	329-9634
Sean Rieger	Owner Attorney	136 Thompson	329-6070
Elaine Drake	Neighbor	4700 W Tecumseh Rd.	329-6123
Jack Drake	Neighbor	4700 W Tecumseh Rd.	329-6123
Ken Danner	City Staff		366-5458
Jane Hudson	City Staff		366-5344

**Application Summary.** The applicant is bringing forward a preliminary plat for Fountain View Addition, Section 4. The preliminary plat is for residential use.

**Applicant's Opportunity.** This proposal is for a new residential development consisting of 76 homes. The area will be gated with a single access point onto 48<sup>th</sup> Avenue NW connecting to a private road accessing the homes. There will be "pocket cul-de-sacs" with six homes accessing the each cul-de-sac. For the residents there will be walking trails, a centrally located clubhouse, gym and pool area. The target market will be "active adult". There will be lawn care and maintenance of the community area included in the monthly lease fee.

**Neighbors' Questions/Comments.** How will you be addressing drainage/run-off issues?

**Applicant Engineer.** Storm water will be conveyed to multiple detention ponds on-site. Your lot will not be impacted by any additional run-off.

**Neighbors' Questions/Comments.** Will the lots be leased or sold?

**Applicant Designer.** At this time the plan is to lease the areas but that has not been finalized. We will continue with our market study and finalize decision this at a later date.

Pre-Development Case No. PD 11-35

Greenbelt Case No. GBC 11-24

Date: 12-1-11

#### **NORMAN GREENBELT ENHANCEMENT STATEMENT**

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement was developed to aid the Commission in assessing new developments to insure that green space and trail opportunities are included, whenever possible.

***As part of your application and submittal for a Pre-Development Meeting, the City of Norman ordinances require that you complete this Greenbelt Enhancement Statement to address the Greenbelt Commission's review and leave it with City of Norman staff at the same time you submit the required information for a Pre-Development Meeting.***

**Attached are copies of the three (3) applicable sections of the adopted Greenbelt Ordinance, Sections 4-2023A, 4-2026 and 4-2028, these guidelines will be your reference while completing this Enhancement Statement, please see pages 4-8.**

At the time you submit your application for a Pre-Development Meeting, you will be provided with the date of the Pre-Development Meeting and the date of the next Greenbelt Commission Meeting. You are urged to attend the Greenbelt Commission Meeting where you will be given an opportunity to present information, discuss your proposed development, and to answer questions the Greenbelt Commission might have regarding your submittal. Based upon the review and discussion at the Greenbelt Commission Meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will be recorded and provided to you after the meeting minutes have been prepared. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application to them for consideration of your proposed development. Should you have any questions about this process or any of the below questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5322.



**Greenbelt Enhancement Statement for Proposed Developments**

Applicant Name: Sassan Moghadam Date: 11-28-11  
Contact Person: Tom L. McCaleb, P.E. for Applicant  
Telephone/Fax/Email: ph-232-7715 / fx-232-7859 / email – tom.mccaleb@smcokc.com

Name of Development: Active Adult Community  
Area (Acres): Total site is roughly 14.43 ac for PUD

General Location: On east side of 48<sup>th</sup> Ave. N.W. approximately 613 feet south of Tecumseh Road.

Type of Development: (please check) Residential\_\_\_ Commercial\_\_\_ Industrial\_\_\_ Other X  
This property is currently zoned A-2 and will be rezoned PUD. The project will be gated with private streets.

1. Briefly explain the kind of development, types of buildings/uses, or character of your proposal.

- The following describes this project:
  - Gated community with private streets
  - Central common area with clubhouse, pool and guest parking
  - 76 attached and detached residences, each with a private garage
  - Several perimeter open spaces with detention/retention ponds
  - Internal sidewalks throughout the community

2. Does your proposed development or project incorporate open space(s)?  
Yes X No \_\_\_

Please check what type(s) of open space is proposed within your development:

Park:	___ Yes <u>X</u> No	___ Public ___ Private
Open Space:	<u>X</u> Yes ___ No	___ Public <u>X</u> Private
Detention Pond:	<u>X</u> Yes ___ No	___ Public <u>X</u> Private
Parking Lot Landscape:	<u>X</u> Yes ___ No	___ Public <u>X</u> Private
Floodplain/Creek:	<u>X</u> Yes ___ No	___ Public <u>X</u> Private
Other	_____	

If the above noted areas are accessible via some other arrangement please explain.

3. Does the open space for this development include some kind of trail or path that meets the definitions contained in 4-2023A of the attached guidelines? (Indicate all that are applicable.)

Public Sidewalks (4-5' wide)	<u>X</u> Yes	___ No
Natural Trails (compacted earth 8-10' wide)	<u>X</u> Yes	___ No
Parkway Trails (durable surface 6-8' wide)	<u>X</u> Yes	___ No
Neighborhood Trails (durable or paved, 6-10' wide)	<u>X</u> Yes	___ No
Community Wide Trails (paved, 10-12' wide)	___ Yes	___ No
Specialized Trails (equestrian, water, etc)	___ Yes	___ No
Other	_____	

4. Identify schools, recreational areas (parks, playgrounds), commercial sites, or other public open spaces within ½ mile of your proposed development. (If there are no such areas within the ½ mile radius please state such and skip question 5.)

- Roosevelt School is within ½ mile. The closest public park is in the Cascade Addition.

5. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking. (If there is no such connectivity please state such.)

- No connections are planned.

6. Please check, from the following (or make a list), the geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails, per the attached guidelines.

Storm water channels \_\_\_\_\_

Detention ponds X

Floodplains \_\_\_\_\_

Stream bank/Riparian corridors \_\_\_\_\_

Utility Easements X

Abandoned/Active RR corridors \_\_\_\_\_

Other \_\_\_\_\_

How will your development incorporate those elements noted into greenbelts and trails?

- The private community will enjoy an active recreational environments with trails, pool and open space.

7. If, after reviewing the above questions, you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly below. (Any comments you feel will help the Commission understand your intent to develop the area.)

- This site is not adjacent to any planned greenway corridor, nor is 48<sup>th</sup> Ave. N.W. planned as one at this location, and thus there do not seem to be any public Greenbelt System opportunities.

Signature of Applicant or Contact Person:

  
Tom L. McCaleb, P.E. for Applicant

**GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS  
SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS  
SEPARATE SHEET):**

**VOTE BY COMMISSION:** \_\_\_\_\_

## **Greenbelt Commission Meeting – December 19, 2011**

GBC Application 11-24 (Planning Commission Item 9c)

Applicant: Sassan Moghadam  
Location: East side of 48<sup>th</sup> Avenue NW approximately 613 feet south of Tecumseh Road  
Proposal: Preliminary Plat of 14.43 acres for Fountain View Addition Section 4

### **Greenbelt Commission Final Comments - GBC 11-24**

- No additional comments were noted except what is depicted below in "bold".

The Commission finds that the applicant's development meets the following Greenbelt Ordinance criteria.

#### **Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements**

(b) Greenways are established and provide connections to other existing and future components of the Greenbelt System. **(Taking the external sidewalks into consideration, this would be applicable.)**

(f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized. **(An attempt has been made to follow this.)**

(j) Permeable ground surfaces have been preserved to the extent possible. **(Some have been preserved.)**

(k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.

(n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.

(o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation.

(q) The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.

(u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.

(v) Cluster development has been utilized as a means to develop the Greenbelt System. **(Some elements of cluster have been utilized as a means to the development of the Greenbelt System, such as shared driveways.)**

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 9, 2012**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

\* \* \*

Item No. 1, being:  
**ROLL CALL**

**MEMBERS PRESENT**

Dave Boeck  
Cynthia Gordon  
Diana Hartley  
Chris Lewis  
Curtis McCarty  
Roberta Pailles  
Andy Sherrer

**MEMBERS ABSENT**

Jim Gasaway  
Tom Knotts

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Kosciński, Manager, Current Planning  
Division  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Jane Hudson, Planner II  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst

\* \* \*

Item No. 9, being:

**CONSIDERATION OF A REQUEST SUBMITTED BY SASSAN MOGHADAM FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD.**

**9A. RESOLUTION NO. R-1112-111 – SASSAN MOGHADAM REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-04) FROM FLOODPLAIN DESIGNATION TO LOW DENSITY RESIDENTIAL DESIGNATION FOR 14.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report

**9B. ORDINANCE NO. O-1112-23 – SASSAN MOGHADAM REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT, FOR 14.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48<sup>TH</sup> AVENUE N.W. APPROXIMATELY 330 LINEAL FEET SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. PUD Narrative

**9C. PP-1112-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SASSAN MOGHADAM (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW NORTH ADDITION, A PLANNED UNIT DEVELOPMENT, TO THE CITY COUNCIL.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Site Development Plan
5. Preliminary Plat
6. Pre-Development Summary
7. Greenbelt Enhancement Statement
8. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Mr. Koscinski reported we included the first item as almost perfunctory. We have new flood maps that essentially stop the floodplain at 48<sup>th</sup> Avenue. Obviously, the adoption of those maps didn't affect our long-range plan, so we've added this item simply to clarify the record. As you can see, it doesn't address all of the floodplain on the Plan map, but the maps indicate it is no longer in a floodplain. The actual rezoning is for a Planned Unit Development of single-family homes on very small lots with reduced building setbacks. Current zoning is A-2. They are proposing a PUD. They are individual homes on individual lots. There are still two remaining homes on the property that will be removed, but the rest of the structures have been cleared from the site. North of the site there is a large existing home, fairly close to Tecumseh Road on a fairly large tract. To the east is a very large home on a very large tract, with a big barn. To the south will be a couple of hundred homes of standard single-family development. When Ashton Grove developed, they put in a lift station which remedied a capacity problem, which has allowed all these subdivisions to start developing. Across the street is State school land that is currently being leased for farm purposes. Staff believes that this is an acceptable use. The density is 4.75, which is slightly high, but still well within the single-family range. The roads will be private and it is a gated subdivision. There is a fair amount of open space, with about a 4-acre common area, with more green area in the plat. It is far in excess of what would have been required under a standard PUD guidance. Building setbacks are variable; there is a 20' setback



for any garage. There is some on-site parking for visitors. Staff recommends approval of the Plan change, the rezoning, and the preliminary plat. There were no filed protests on this request.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Drive, representing the applicant – Mr. Koscinski introduced this pretty thoroughly. A-2 zoning is the current zoning, but don't be mistaken about that – this is all shifting to developed areas of Norman with Fountain View Section 1 to the south, Ten Mile Flats to the west. There are two additions being built right now that are fully platted and will be occupied and in use in no time. Our addition is right to the north. Several of the homes have been removed in anticipation of development. There is large open space on this. This is designed to be an adult, gated community with minimal yards and minimal maintenance, with a central community space and a central building, behind a gated entrance. The gated entrance will be per the City of Norman design. If you add up all the green space and detention areas, it is 54% open space, which is simply enormous for an addition. Here is a graphic of the site plan. The gated entry comes off 48<sup>th</sup> Avenue. There is a large clubhouse in the middle with the homes spinning around it. There are common driveways into the homes. Some of the homes are attached. These folks will not want large lots – they want very minimal maintenance on their properties. The private street circulates around the interior. This is a nice compliment to what is happening around it, with a much different type of use. Staff supports the proposed use of smaller single-family dwellings which will compliment the newer nearby subdivisions currently under development. No adverse traffic impacts. No negative impacts. No protests. Only a couple people came to Pre-Development. Richard McKown has done a lot of work on this subdivision. He sent these into me just a little while ago, and I thank Larry for putting them on the screen with only about 15 minutes of time to spare. This gives you a much closer detailed look at what is being proposed here through Richard's designs. You see how some of them are connected and some of them are free-standing. There is a really nice design coming off of 48<sup>th</sup> Avenue into this development.

2. Ms. Pailles commented that in driving out there and looking at the development to the south, the detention ponds parallel 48<sup>th</sup> Avenue and they're full. On the corner is a private home that has a pond, which is also full. There is no creek running into this and it looks like those bodies of water are basically ground water and that is the water table. It looks like a very high water table. Places in Norman that have been built on a high water table there have been problems with unstable foundations and problems with sewer pipes backing up.

3. Tom McCaleb – Ms. Pailles is correct. That is the water table. This area has been studied a lot in the last several years. They didn't know exactly where the water table was until they started digging and found it. They have also encountered some other strata in the development that they've had to accommodate. Where the bottom of the detention pond was previously planned is the water table, so it was designed perfectly. The water table maintained that level throughout last summer with no rain. They have had only one experience where they had water that came from high on a hill; that has been captured into a conduit. Almost all the sewer is in place. When sewer was installed along 48<sup>th</sup> Avenue, they had to dewater all the time. No other problems have been encountered on the development.

4. Ms. Hartley asked about the requirement for a fee in lieu of park land. Mr. Rieger responded that residential developments are required to do one of three things: 1) dedicated public park space, 2) pay fee in lieu of, or 3) provide private park land.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to recommend approval of Resolution No. R-1112-111, Ordinance No. O-1112-23, and approval of the Preliminary Plat for FOUNTAIN VIEW NORTH ADDITION, A Planned Unit Development, to the City Council. Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailles, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Jim Gasaway, Tom Knotts

Ms. Tromble announced that the motion to recommend approval of Resolution No. R-1112-111, Ordinance No. O-1112-23, and approval of the Preliminary Plat for FOUNTAIN VIEW NORTH ADDITION, A Planned Unit Development, to the City Council, passed by a vote of 7-0.

\* \* \*



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: K-1112-114**

<b>File ID:</b> K-1112-114	<b>Type:</b> Contract	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 23	<b>In Control:</b> City Council
<b>Department:</b> Utilities Department	<b>Cost:</b> \$385,947.00	<b>File Created:</b> 02/03/2012
<b>File Name:</b> K-1112-114 2060 Strategic Water Supply Plan		<b>Final Action:</b>

**Title:** CONTRACT NO. K-1112-114: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS, INC. IN THE AMOUNT OF \$385,947 TO PREPARE THE 2060 STRATEGIC WATER SUPPLY PLAN AND BUDGET APPROPRIATION.

**ACTION NEEDED:** Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1112-114 with Carollo Engineers, Inc., in the amount of \$385,947; and, if accepted authorize the execution thereof and appropriate \$85,947 from the Water Fund Balance (031-0000-253-0000) to Project WA0174, Water Supply Plan Update, Design (031-9196-462-62-01).

**ACTION TAKEN:** \_\_\_\_\_

### Notes:

**Agenda Date:** 03/13/2012

**Agenda Number:** 23

**Attachments:** Contract No. K-1112-114, Scope of Work, Final Fee Estimate - Norman 2060 SWSP 030512, Requisition 197304

**Project Manager:** Mark Daniels, Utilities Engineer

**Entered by:** mark.daniels@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	02/14/2012	Postponed		03/13/2012	03/13/2012	
	Action Text: Postponed						
1	City Council	02/14/2012					

### Text of Legislative File K-1112-114

Body

**Background:** On November 21, 2011, the Norman Utilities Authority (NUA) forwarded Request for Proposal (RFP) 1112-35 to engineering consultants for preparation of the 2060 Strategic Water Supply Plan (the Plan). This project will update our previous plan prepared in 2001 and is budgeted in the FYE12 capital budget for \$300,000 under Project WA0174, Water Supply Plan Update.

The NUA is currently unable to supply sufficient potable water to meet peak demands and is concerned about probable reduction of the MCL for Total Chromium (or Chromium 6). The goal of the Plan is to strengthen our knowledge of potential short and long-term water supply source(s) for our community and the Central Oklahoma region and begin implementation of a robust, economical water supply solution acceptable to the citizens of Norman.

The 2060 Strategic Water Supply Plan will need to consider the findings of the recent update of the Oklahoma Comprehensive Water Plan (OCWP), the Regional Raw Water Supply Study for Central Oklahoma, the Proposed Scissortail Reservoir Feasibility Study, the possible effects of the pending Garber Wellington Water Management Study, the pending EPA Toxicological Review of Hexavalent Chromium and the water reuse regulations to be promulgated by the Oklahoma Department of Environmental Quality (ODEQ). The Plan will also need to coordinate with and consider the findings of the ongoing Central Oklahoma Master Conservancy District (COMCD) Lake Thunderbird Reuse Study.

**Discussion:** Proposals were received on December 20, 2011 from seven firms including Alan Plummer and Associates, Carollo Engineers, CH2M Hill, Garver, L.L.C., C. H. Guernsey, HDR Engineering and Professional Engineering Consultants.

The proposal review committee consisted of three staff members and two citizens. Each committee member reviewed and rated the submitted proposals independently for (1) compliance with RFP requirements; (2) general qualifications of the firm; (3) proposed technical approach; (4) quality of references; and (5) qualifications of key personnel assigned to the project. After much discussion and deliberation, the committee selected Carollo Engineers, Inc. of Broomfield, Colorado (Carollo) teamed with TetraTech of Oklahoma City to prepare the Plan.

Staff has negotiated the work scope and cost with Carollo and recommends approval of Contract K-1112-114. The proposed work scope and tasks have been divided into two phases as identified in Attachment 1, Scope of Work. The lump sum cost for both Phase 1 and Phase 2 is \$385,947. The cost of specific tasks is identified in the scope of work and will be the basis of future billings.

Phase 1 generally includes development and screening of supply options, defining water demands and opportunities for conservation/reuse, preserving existing water supply sources, enhancing local supplies, considering outside water sources, and screening potential sources and selecting the most viable sources. Two public meetings and one council presentation are

included in Phase 1.

Phase 2 includes compilation of approximately four water supply portfolios that meet the projected water demand, and evaluating each portfolio based on a weighted criteria matrix developed by the NUA. The portfolios will be refined through modeling to optimize the water supply sources for implementation. Two public presentations and/or public education workshops and two council presentation are included in Phase 2.

This item was previously postponed in City Council's meeting of February 14, 2012, to obtain additional information regarding the cost for the entire Plan. City Council met in study session on March 6, 2012, to review the full scope of services and a reduced scope of services for the Plan and it was the consensus of Council to move forward with the full scope. In accordance therewith, staff has prepared this agenda item to include both Phase 1 and Phase 2.

Funds totaling \$300,000 are available in Water Supply Plan Update Design (031-9196-462-62-01), Project WA0174. In order to fund Phases 1 and 2 of the 2060 Strategic Water Supply Plan, \$85,947 will need to be appropriated from the Water Fund Balance (031-0000-253-0000) into Water Supply Plan Update Design (031-9196-462-62-01), Project WA0174.

**RECOMMENDATION:** Staff recommends approval of Contract No. K-1112-114 with Carollo Engineers, Inc. for preparation of the 2060 Strategic Water Supply Plan for \$385,947 and appropriation of \$85,947 from the Water Fund Balance (031-0000-253-0000) into Water Supply Plan Update Design (031-9196-462-62-01), Project WA0174.

## AGREEMENT FOR PROFESSIONAL SERVICES

Project No. \_\_\_\_\_

This AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by and between the Norman Utilities Authority (hereinafter "OWNER"), and Carollo Engineers, Inc., (hereinafter "ENGINEER").

WITNESSETH:

WHEREAS, the OWNER and the ENGINEER wish to enter into an Agreement (hereinafter "Agreement") for the furnishing of Engineering Services in connection with the Norman Utilities Authority, 2060 Strategic Water Supply Plan (hereinafter "Project"), and

WHEREAS, ENGINEER is qualified and prepared to perform the necessary professional services in connection with the Project.

NOW THEREFORE, in consideration of the mutual promises and covenants of the parties hereto, it is agreed as follows:

### SECTION 1 - PROFESSIONAL SERVICES

- 1.1 ENGINEER shall provide professional engineering services in all phases of the Project to which this Agreement applies. The services furnished by the ENGINEER will be defined by Task Orders which will set forth the Engineer's Services, Time of Performance, and Payment.
- 1.2 It is intended that each Task Order, after execution by both parties shall become a supplement to and a part of this Agreement.

### SECTION 2 - PAYMENT TO ENGINEER

- 2.1 As consideration for providing the services referred to in Section 1, the OWNER shall pay ENGINEER on the basis to be established in the Task Order for Services.
- 2.2 The ENGINEER is not responsible for damage or delay in performance caused by events beyond the control of ENGINEER. In the event ENGINEER's services are suspended, delayed or interrupted for

the convenience of the OWNER or delays occur beyond the control of ENGINEER, an equitable adjustment in ENGINEER's time of performance and cost of ENGINEER's personnel and subcontractors shall be made.

- 2.3 OWNER reserves the right to direct revision of ENGINEER's services as may be necessary. When ENGINEER is directed to make revisions under this section of the agreement, ENGINEER shall advise OWNER of the probable costs involved in completing engineering services and the time of performance for such completion. Extra services also include those that are required for defense of claims, in which event ENGINEER shall bill OWNER on an hourly basis together with cost of material.
- 2.4 In the event OWNER and ENGINEER cannot agree on equitable compensation for services rendered in making revisions, then, at OWNER's option, ENGINEER shall either continue performance under the revised Agreement and an equitable



adjustment in ENGINEER's time of performance and cost of ENGINEER's personnel shall be made at completion of the revised work or ENGINEER shall not be obligated to continue performance under this Agreement.

- 2.5 If ENGINEER's work products require revisions prior to construction bidding due to ENGINEER's errors or omissions, the exclusive remedy will be limited to revisions made by ENGINEER without compensation.
- 2.6 The ENGINEER shall bill the OWNER monthly indicating the services performed and the cost of such services.

OWNER agrees to pay invoices within 45 days of their date. Payments not received by ENGINEER within 45 days shall be considered delinquent and subject to a finance charge of 1 percent per month for each month unpaid after the date of invoice. ENGINEER may suspend services should an invoice remain delinquent for 75 days from date of invoice.

- 2.7 All notices shall be made in writing and may be given by personal delivery or by mail. Notices sent by mail shall be addressed to the designated responsible person or office:

**TO OWNER:**

Norman Utilities Authority, Attn: Mark Daniels  
 201 W. Gray, Building C  
 Norman, OK 73069  
 mark.daniels@normanok.gov

**TO ENGINEER:**

Carollo Engineers, Inc., Attn: John Rehring  
 390 Interlocken Crescent, Suite 800

Broomfield, CO 80021

jrehring@carollo.com

and when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices and invoices shall be deemed given at the time of actual delivery.

All payments are to be mailed to:

**Carollo Engineers, Inc.**  
**P.O. Box 30835**  
**Salt Lake City, UT 84130-0835**

unless otherwise informed on the face of the invoice.

**SECTION 3 - MISCELLANEOUS**

- 3.1 The OWNER shall furnish the ENGINEER available studies, reports and other data pertinent to ENGINEER's services; obtain or authorize ENGINEER to obtain or provide additional reports and data as required; furnish to ENGINEER services of others required for the performance of ENGINEER's services hereunder, and ENGINEER shall be entitled to use and rely upon all such information and services provided by OWNER or others in performing ENGINEER's services under this Agreement.
- 3.2 The OWNER shall arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform services hereunder.
- 3.3 Documents, including drawings and specifications, prepared by ENGINEER pursuant to this Agreement are not intended or represented to be suitable for reuse by OWNER or others for this Project or on any other project. Any reuse of

completed documents or use of partially completed documents without written verification or concurrence by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER; and OWNER shall indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses, including attorney's fees arising out of or resulting therefrom.

3.4 During the performance of the Project under this Agreement, ENGINEER shall maintain the following insurance:

- a. Worker's compensation insurance for ENGINEER's employees as required by Oklahoma Workers Compensation Statutes.
- b. Comprehensive general liability insurance with a minimum of \$100,000 per accident for bodily injury or death and \$25,000 per occurrence for property damage.
- c. Comprehensive automobile liability insurance with a minimum of \$100,000 per accident for bodily injury or death and \$25,000 for property damage.
- d. Professional Liability (errors and omissions) insurance with a minimum policy value of \$1,000,000.

ENGINEER shall furnish OWNER certificates of insurance that shall include a provision that such insurance shall not be canceled without at least thirty days written notice to OWNER. All Project subconsultant shall be required to include OWNER and ENGINEER as additional insured on their General Liability Insurance policies.

ENGINEER and OWNER each shall require its insurance carriers to waive all rights of subrogation against the other and its directors, officers, partners, commissioners, officials, agents and employees for damages covered by property insurance during and after the Project. A similar provision shall be incorporated into all contractual arrangements entered into by OWNER and shall protect OWNER and ENGINEER to the same extent.

## SECTION 4 - LEGAL RELATIONS

4.1 The ENGINEER shall be responsible for professional negligence, which is failure to exercise skill and ability as ordinarily required of engineers under the same or similar circumstances. The ENGINEER shall not be responsible for warranties, guarantees, fitness for a particular purpose or breach of fiduciary duty and shall only indemnify for failure to perform in accordance with the generally accepted engineering and consulting standards.

4.2 OWNER and ENGINEER shall each defend, indemnify and hold harmless the other and their respective principals, directors, officers and employees from and against claims, loss, liability, suits and damages, including attorney's fees, caused in whole or in part by either party's negligent acts, errors or omissions, willful misconduct or OWNER's lawful responsibility respectively or, anyone directly or indirectly employed by either of them or anyone for whose acts they may be liable regardless of whether or not such claim, loss, liability or damage is caused in part by a party indemnified hereunder.

In the event that both OWNER's and ENGINEER's wrongful act or lawful responsibility is the proximate cause of any liability or damages, then in

such event, each party shall be liable for a portion of the damages and claim costs resulting therefrom equal to such party's comparative share of the total negligence or lawful responsibility for such damages and claim costs. Notwithstanding the foregoing, a party's defense obligation hereunder shall be limited to reimbursement of the other party's reasonable defense costs which are judicially determined to have been incurred as a result of the first party's negligence.

- 4.3 Hazardous materials or asbestos may exist at a site where there is no reason to believe they could or should be present. The ENGINEER and OWNER agree that the discovery of unanticipated hazardous materials or asbestos constitutes a changed condition mandating a renegotiation of ENGINEER's services.
- 4.4 The ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over Contractor's methods of determining prices, or other competitive bidding or market conditions, practices or bidding strategies. Cost estimates are based on ENGINEER's opinion based on experience and judgment. ENGINEER cannot and does not guarantee that proposals, bids or actual Project construction costs will not vary from cost estimates prepared by ENGINEER.
- 4.5 If the project involves construction of any kind, the parties agree that OWNER and ENGINEER shall be indemnified to the fullest extent permitted by law for all claims, damages, losses and expense including attorney's fees arising out of or resulting from Contractor's performance of work including injury

to any worker on the job site except for the sole negligence of OWNER or ENGINEER. Both OWNER and ENGINEER shall be named as additional primary insured(s) by Contractor's General Liability and Builders All Risk insurance policies without offset and all Construction Documents and insurance certificates shall include wording acceptable to the parties herein with reference to such provisions.

- 4.6 ENGINEER shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by contractors or the safety precautions and programs incident to the work of contractors and will not be responsible for Contractor's failure to carry out work in accordance with the Contract Documents.
- 4.7 The services to be performed by ENGINEER are intended solely for the benefit of the OWNER. No person or entity not a signatory to this Agreement shall be entitled to rely on the ENGINEER's performance of its services hereunder, and no right to assert a claim against the ENGINEER by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement or the performance of the ENGINEER's services hereunder.
- 4.8 The ENGINEER's instruments of service hereunder are the printed hard copy drawings and specifications issued for the Project, whereas electronic media, including CADD files, are tools for their preparation. As a convenience to the OWNER, the ENGINEER shall furnish to the OWNER both printed hard copies and electronic media. In the event of a conflict in their content, the printed hard copies shall take precedence over the electronic media.

Because data stored in electronic media form can be altered, inadvertently, it is agreed that the OWNER shall hold ENGINEER harmless from liability arising out of changes or modifications to ENGINEER's data in electronic media form in the OWNER's possession or released to others by the OWNER.

#### SECTION 5 - TERMINATION OF AGREEMENT

- 5.1 If this Agreement is terminated with or without cause, in either event, OWNER shall provide:
- a. not less than five (5) working days' written notice of intent to terminate, and
  - b. an opportunity for good faith consultation prior to termination.

#### SECTION 6 - DISPUTE RESOLUTION

- 6.1 All claims, disputes, and other matters in controversy between OWNER and ENGINEER arising out of or in any way related to this Agreement will be submitted to Alternative Dispute

Resolution (ADR) before, and as a condition precedent to other remedies provided by law. The method for resolving disputes will be agreed to between the parties and each party shall use its best efforts to reach a resolution.

#### SECTION 7 - ENTIRE AGREEMENT


- 7.1 This Agreement, including attachments incorporated herein by reference, represents the entire Agreement and understanding between the parties and any negotiations, proposals or oral agreements are intended to be integrated herein and to be superseded by this written Agreement. Any supplement or amendment to this Agreement to be effective shall be in writing and signed by the OWNER and ENGINEER.

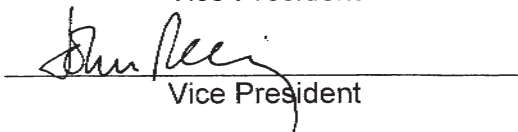
#### SECTION 8 - GOVERNING LAW

- 8.1 This Agreement is to be governed by and construed in accordance with the laws of the State of Oklahoma.

IN WITNESS WHEREOF, duly authorized representatives of the parties have signed in confirmation of this Agreement, with effective date the day and year first above written.


CAROLLO ENGINEERS, INC.

By:   
Vice President

By:   
Vice President

NORMAN UTILITIES AUTHORITY

By: \_\_\_\_\_  
Chairman

By:   
Attorney

TASK ORDER NO. 1

NORMAN UTILITIES AUTHORITY

AND

CAROLLO ENGINEERS, INC.

This Task Order is issued by the OWNER and accepted by ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the \_\_\_\_\_ day of \_\_\_\_\_, 2012, in connection with the Norman Utilities Authority, 2060 Strategic Water Supply Plan (Project).

PURPOSE

The purpose of this Task Order is to:

Conduct Phase 1 of the development of the Norman Utilities Authority 2060 Strategic Water Supply Plan, as part of a two-phase approach to evaluating long-term water supply options for the City of Norman.

ENGINEER'S SERVICES

As described in Attachment 1, Scope of Work.

TIME OF PERFORMANCE

As described in Attachment 1, Scope of Work.

PAYMENT

As described in Attachment 1, Scope of Work.

EFFECTIVE DATE

This Task Order No. 1 is effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. 1 evidencing its issuance by OWNER and acceptance by ENGINEER.

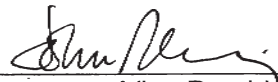
CAROLLO ENGINEERS, INC.

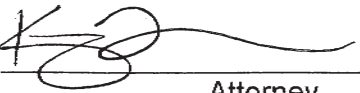
NORMAN UTILITIES AUTHORITY

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2012

By:   
Vice President

By: \_\_\_\_\_  
Chairman

By:   
Vice President

By:   
Attorney



## **ATTACHMENT 1 SCOPE OF WORK**

## **BASE SCOPE**

### **Norman Water Utilities Authority 2060 Strategic Water Supply Plan**

March 5, 2012  
Carollo Engineers, Inc.

This Scope of Work describes the work to be completed by Carollo Engineers, Inc. (ENGINEER) for the City of Norman Water Utilities Authority (CITY) to complete the 2060 Strategic Water Supply Plan. The Scope of Work will be completed in two phases, as described herein.

#### **PHASE 1: Development and Screening of Supply Options**

##### **Task 1: Phase 1 Project Management and Coordination**

###### **Purpose:**

The purpose of this task is to guide and monitor the timely delivery of project deliverables, manage staffing, provide project coordination between ENGINEER and Subconsultant team members and the CITY, and to conduct project quality reviews. This task also includes coordination with local, state, and federal agencies.

###### **Tasks:**

###### **1.1 Project Control and Reporting**

ENGINEER will conduct budget and schedule monitoring and manage staffing. ENGINEER will prepare and submit a monthly invoice and status report based on the project progress. This report will contain the following elements:

- Work completed to date
- Deviations from the scope (if any)
- Updated Action/Decision Logs
- Budget reporting

ENGINEER will also conduct meetings or teleconferences with its Subconsultant as needed to maintain coordination of efforts in support of this scope of work.

###### **1.2 Quality Management**

ENGINEER will manage the quality of the project deliverables throughout the development of the project. This will include review of final deliverables by members of the ENGINEER senior staff.

###### **1.3 Agency Coordination**

ENGINEER shall coordinate with the following water management/permitting agencies to assess the implementation requirements for key water supply options. Coordination may be needed between the ENGINEER, the CITY, and the following agencies as part of this scope of work:

- Oklahoma Water Resources Board (water rights/permits)
- Oklahoma Department of Environmental Quality (water reuse permitting)
- Central Oklahoma Master Conservancy District / Bureau of Reclamation (Lake Thunderbird augmentation and use)
- ACOG
- Oklahoma City Water Utilities Trust
- US Fish & Wildlife Service
- US Environmental Protection Agency

#### 1.4 Bi-Monthly Coordination Meetings

Brief project progress meetings will be conducted between project team members on a bi-monthly basis via telephone conference call, unless held in person in conjunction with other project activities. These meetings will include discussion of work progress, coordination issues, CITY feedback, and resolution of issues related to the progression of the work.

#### 1.5 Project Management Plan

ENGINEER will prepare a Project Management Plan including: project background and objectives; project team directory; project scope and schedule; cash flow projections; communication protocols; action item and decision log format; document standards; change management procedures; and quality management plan. The Draft Project Management Plan will be prepared and submitted for review prior to the Kickoff Workshop. Comments will be incorporated and a Final Project Management Plan prepared.

#### 1.6 Kickoff Workshop

ENGINEER will conduct a Kickoff Workshop with CITY staff to review project goals and objectives, develop a unified vision for the end products and their use, scope of work, budget, and schedule as detailed in the draft Project Management Plan. The workshop will also include discussion of decision making methodology and decision models to be employed and initial identification of potential evaluation criteria for the source of supply options.

#### Deliverables:

- Monthly Project Updates
- Project Management Plan
- Decision Logs (as needed) from Bi-Monthly Coordination Meetings
- Kickoff Workshop materials

#### Assumptions:

- A maximum of 36 hours of agency coordination has been assumed for this scope of work.
- Bi-monthly coordination meetings will occur over a period of 5 months for a total of 10 meetings.
- If additional sources of supply beyond those listed in this scope of work are identified by the CITY or public participants for evaluation by ENGINEER, the Agreement will be modified for the additional level of effort as mutually agreed in writing by ENGINEER and the CITY.

## Task 2: Basis of Planning

### Purpose:

The purpose of this task is to develop the foundation for the evaluation of water supply alternatives and to define the key planning assumptions that will be used throughout the project. It includes updating previous water demand projections and development of criteria to be used in the preliminary screening process and the criteria and cost factors that will be used for detailed evaluation of potential water supply alternatives.

### Tasks:

#### 2.1 Review Documents

ENGINEER will review previous planning documents prepared by the CITY and other agencies related to the preparation of the SWSP, as made available to the ENGINEER by the CITY. ENGINEER will develop a plan to integrate, update, and/or disregard information in these reports. Reports that will be reviewed, and on which foundational information and assumptions for this SWSP will be based as appropriate, will include the following:

- *Norman 2020 Land Use and Transportation Plan*, prepared by The Burnham Group, dated February 1997;
- *Norman 2025 Land Use and Transportation Plan*, as amended;
- *City of Norman Master Water Plan* prepared by CH2M HILL, dated October 1992;
- *2040 Strategic Water Supply Plan*, prepared by CDM/CH2M Hill dated February 2001;
- *Arsenic Study*, prepared by CH2M HILL, dated June 2002;
- *Water Treatment Plant Expansion Evaluation*, prepared by Carollo Engineers, dated May 2007;
- *Regional Raw Water Supply Study for Central Oklahoma*, prepared by CDM dated March 2009;
- *Proposed Scissortail Reservoir Feasibility Study*, prepared by CH Guernsey & Company dated August 2009;
- Staff reports providing water production, water consumption, metered water usage, and population projections
- The Central Oklahoma Master Conservancy District (COMCD) study of the potential of augmenting Lake Thunderbird with raw water from southeast Oklahoma, Kaw Lake in northern Oklahoma, the proposed Scissortail Reservoir near Ada, from the Canadian River and the possibility of discharging high quality effluent from the cities of Moore and Norman.
- EPA guidance on potential regulation of hexavalent chromium
- The South-Central Regional Assessment Special Study (also known as the Garber-Wellington Water Management Study)
- Norman Utilities Authority (NUA) Pending Water Rights for Lake Thunderbird
- Norman 2010 Sustainable Water Resources Forum presentations

#### 2.2 Define Baseline Water Demand Projections through 2060

ENGINEER will review the demand projections developed in recent studies conducted by the CITY and the demand projections shown in the Oklahoma Comprehensive Water Plan's Central Regional Watershed Planning Report. Demand projections will be synthesized from available sources, with adjustments made to per-capita demands and service area population projections based on CITY staff direction and available information sources identified and provided by the CITY. This will include available projections or CITY estimates for conversion of existing domestic well users within the CITY limits to CITY potable water service. ENGINEER will make modifications to the annual and peak day demand projections at decade intervals through the planning period based on available input data, in consultation with CITY staff. Input data may be based on recent years' population and demand data and trends. Initial projections will be updated from recent Norman studies, without additional conservation measures, to serve as baseline projections.

ENGINEER will develop estimates of the potential non-potable demand in Norman's service area that could be satisfied using Category 2 reuse water, using previously-developed maps of potential water reuse sites. Residential non-potable use will be excluded from the analysis, assuming that reuse will be targeted for major parks, institutional or process/industrial facilities, etc., rather than irrigation at individual homes. Those data will be used to determine the areas or "clusters" with largest potential non-potable demands in Norman's service area, so that estimates of the costs to implement a reuse distribution system can be made under subsequent tasks. Turf irrigation guidelines (range of annual demand, and maximum weekly and daily irrigation rates) will be developed in consultation with Oklahoma State University Extension staff or other sources. This non-potable demand will serve as the upper bound of potential reuse demand, recognizing that it will not be practical to extend reuse service to 100 percent of the non-potable demands. ENGINEER will develop a description of the permitting considerations and common implementation issues associated with reuse projects for the CITY's consideration.

### 2.3 Assess Opportunities for Water Conservation Savings

Opportunities for reductions in future per-capita water demands will be assessed in consultation with CITY staff and the CITY's 2011 Water Conservation Plan. Scenario I and Scenario II conservation levels as defined in the 2012 OCWP and the projected demand reductions for Cleveland County will be compared to existing and proposed conservation measures for Norman, to determine the potential savings. Implementation of Scenario I and Scenario II conservation will be assessed as demand management options to complement supply options in subsequent tasks of this scope of work. Estimates of the water demand reductions (annual and peak) associated with these two conservation scenarios will be coupled with an assumed "saturation" factor (e.g., the number or percent of Norman's customers implementing Scenario I or II) for each planning decade, to establish overall conservation saving estimates for each planning decade. Projections of conservation savings will be made with the intent of providing adequate time for implementation.

### 2.4 Identify Uncertainties

ENGINEER will develop a draft list of key uncertainties that could affect the planning process for definitively identifying a reliable water supply portfolio. Examples of the types of uncertainties may include: permanent maximum annual yield for wells in the Garber-Wellington aquifer, maximum contaminant levels for hexavalent chromium in drinking water, yields of potential future reservoirs, etc. ENGINEER will develop strategies for incorporating and managing these uncertainties as part of subsequent alternatives evaluation and implementation analyses.

### 2.5 Develop Initial Screening and Detailed Evaluation Criteria for Water Supply Alternatives

In consultation with CITY staff and using input from Public Meeting #1, ENGINEER will refine and finalize the economic and non-economic criteria (including triple bottom line elements of social, environmental, and economic benefits) to be used in evaluating and comparing the alternatives described. Performance measures will be developed for each criterion, in order to establish quantitative and qualitative ways of evaluating the degree to which each alternative satisfies each of the criteria. Up to 10 individuals (CITY staff and other CITY-designated stakeholders) will be asked to complete a paired comparison exercise to weight the importance of each criterion relative to the other criteria. This weighting may be done on an individual basis or as a group exercise. ENGINEER will review the criteria with CITY staff to refine the list of criteria and determine which criteria will be used for initial screening of the alternatives, versus those that will also be used for detailed evaluation of the resulting short-listed alternatives.

## 2.6 Conduct Basis of Planning Workshop

ENGINEER will summarize the key planning assumptions and criteria that will be used throughout the project, for discussion with CITY staff in a facilitated Basis of Planning workshop. This workshop will provide an opportunity for CITY staff to review and make modifications to the basis of planning inputs before detailed alternatives development and evaluation commences. The results of this workshop will be documented in the Basis of Planning TM.

## 2.7 Document Basis of Planning

ENGINEER will develop “Basis of Planning” text to support final report preparation regarding the findings, discussions, and decisions of this task. This will include a summary of the applicability of existing reports/data, the demand projections to be used in the plan, the planning horizon, the overall goals and objectives, cost assumptions, and the screening and evaluation criteria that will be used in the evaluation of water supply alternatives.

### Deliverables:

- Basis of Planning input for final report. No interim written submittal will be prepared prior to the draft final report.

### Assumptions:

- Demand projections will be based on available projections of service area population or other data provided by the CITY, in combination with mutually-agreeable estimates of per-capita consumption.

## Task 3: Characterize “Preserve Existing Water Supplies” Source Options

### Purpose:

The purpose of this task is to inventory the CITY’s existing water supply sources and identify improvements required to maintain the maximum supply capacity from these sources over the next 50 years. These sources will be characterized relative to the CITY’s evaluation criteria (e.g., cost, yield, reliability, water quality and treatment needs, water rights, uncertainty analysis) to allow them to be compared to one another and to alternative sources of water supply. ENGINEER will develop mapping showing the relative locations of these sources, using data and information as available.

### Tasks:

#### 3.1 Develop Inventory of Existing Sources

The ENGINEER will compile information based on TM-1 and input from the CITY to develop an inventory of existing sources that the CITY is currently using to supply water demands in the service area. The inventory will include raw water supply wells, surface water withdrawals, reuse facilities (OU golf course) and any other non-potable supply sources currently utilized by the CITY. Existing potable water interconnects with the CITY of Oklahoma City will also be included in the inventory. The inventory of sources will include existing wells that have production capacity, but are inactive due to water quality. The inventory will also include wells that have been proposed and sited, but not placed into active service. The inventory, which will be a listing of all current supply sources, shall be reviewed with the CITY for completeness and accuracy.

#### 3.2 Characterize Existing Sources



Information will be obtained from the CITY, published information and other sources as appropriate to characterize all of the existing sources of supply included in the inventory developed under previous tasks. From the available, existing data, the ENGINEER will:

Characterize the capacity of each source in terms of:

- Water rights
- Source yield or specific capacity
- Design capacity of the withdrawal equipment and conveyance system
- Average annual withdrawal and peak daily withdrawal
- Communicate with US Bureau of Reclamation to establish anticipated long term yield from Lake Thunderbird due to potential lake silting.

Characterize the reliability of each source in terms of:

- Total and firm capacity of the withdrawal facilities
- Availability of standby power
- Impact of seasonal climate and drought conditions upon the withdrawal capacity

Characterize the operational costs of each source in terms of:

- Variable cost of operation for power and chemicals where records by individual sources of supply are available
- Fixed cost of operation for labor, replacement parts and supplies where the costs have been allocated to the individual sources of supply
- Unit costs for bulk purchase of finished water.

Characterize the water quality of each source in terms of:

- Variability of arsenic, vanadium, selenium, chromium-6, and radionuclides, using available data provided by the CITY

The ENGINEER will summarize the data for each of the sources into tabular form to allow for the review and comparison of similar data for each source. The completed characterization of the existing sources will be reviewed with the CITY for completeness and accuracy. If there are data gaps to complete this analysis, ENGINEER will advise the CITY for additional sampling and testing.

### 3.3 Assess Regulatory Impacts on Continued Use of Existing Sources

The ENGINEER will communicate with regulatory agencies (EPA and DEQ) to determine the current status of potential rulemaking for chromium-6 and to determine what, if any, maximum contaminant levels are being proposed. The ENGINEER in consultation with the CITY will establish potential maximum contaminant levels to be used to determine the effect upon the existing sources of supply. It is anticipated that up to three different potential maximum contaminant levels may be evaluated. Once the potential MCLs have been determined the ENGINEER will determine which wells will be affected at each level and prepare a tabulation listing each of the wells that exceeds the MCL and the capacity of the well. The total loss of supply created at each potential MCL evaluated will be summarized.

The ENGINEER will communicate with representatives of the Oklahoma Water Resources Board (OWRB) to determine the current status of the South-Central Regional Assessment Special Study and to determine if, and to what extent, temporary water rights under existing permits may be reduced. The ENGINEER in consultation with the CITY and based upon the results of communications with the OWRB



will establish potential water rights that might be established upon completion of the study. It is anticipated that an expected and a worst case water right will be established for the purpose of evaluating the impact upon the existing groundwater supply. The ENGINEER will determine the reduction in supply that will be associated with each new allocation rate and the additional water rights that would need to be obtained to maintain the raw water supply potential.

### 3.4 Identify Improvements Needed for Continued Long-Term Use of Existing Sources

The ENGINEER will develop alternate treatment scenarios under this task to allow continued use of the existing supply wells to respond to future chromium-6, arsenic and radionuclide MCLs as described in previous tasks and to use those wells having arsenic concentrations exceeding the current MCL that were taken out of service. The following considerations will be used to construct the alternatives:

- Location of treatment facilities at individual well sites, grouping of wells together for treatment at multiple locations or a central treatment facility to treat all of the wells
- Blending of well water with treated surface water to meet the MCL.
- Single or multiple stage treatment, as required to produce a finished water below the MCL
- Pumping of raw groundwater to natural tributaries to Lake Thunderbird and natural attenuation of heavy metals
- Pumping of raw groundwater to the existing treatment plant for blending with the surface water and treatment using the lime softening process.

The ENGINEER will rely upon the results of previous site specific studies of the removal of arsenic and chromium from the groundwater and published sources of information to determine the removal efficiency of the treatment processes proposed for inclusion in the alternatives. The ENGINEER will prepare a description for each alternative which will include the sources to receive treatment, the location of the treatment facilities, raw and finished water conveyance requirements, treatment processes and the projected finished water arsenic and chromium-6 concentrations. A planning level construction cost estimate will be developed for each alternative that includes the cost of all associated piping, treatment facilities, property acquisition and professional services.

#### Deliverables:

- Data and analyses for inclusion in final report

#### Assumptions:

- Source options will be assessed qualitatively for their potential susceptibility to possible future climate change, referencing supply and demand impacts identified in the 2012 OCWP. No calculations or estimates of climate change implications specific to Norman or the supply options considered herein will be developed under this scope of work.
- Operation and maintenance costs for the supply options will not be estimated, but will be qualitatively described to allow a relative comparison between options.

## Task 4: Characterize “Maximize and Enhance Local Supplies” Options

#### Purpose:

The purpose of this task is to identify and develop options utilizing local sources of supply that are currently undeveloped or underdeveloped that could provide additional sources of raw water to increase the potable water supply or serve as a source of non-potable supply to offset the current and projected non-potable

component of the potable water demand. Options will be characterized to assess yield, treatment needs, and and conceptual level cost estimates based on existing studies, experience, and literature data.

#### Tasks:

#### 4.1 Storage and Supply Augmentation Options

##### (a) Capture of Spillage at Lake Thunderbird

ENGINEER will assist the CITY in determining the status of water above the conservation level as allocated or surplus water. The ENGINEER will review existing documentation regarding the CITY's existing water rights and allocation of water from Lake Thunderbird and applicable laws and regulations. ENGINEER, in coordination with the CITY, will communicate with OWRB and US Bureau of Reclamation (USBR) to summarize the water right issues associated with the capture and use of spillage water. If the results of this evaluation are favorable, the ENGINEER will coordinate with USBR and coordinate the use of USBR Lake Thunderbird model to quantify the spillage from the lake to develop conceptual level infrastructure to capture and convey the spillage volume for Norman's use.

##### (b) Lake Thunderbird Augmentation

It is understood that COMCD is currently completing a reuse feasibility study for Lake Thunderbird. The objective of this COMCD study is evaluate opportunities to augment Lake Thunderbird with a range of potential source waters. In consultation with the CITY, ENGINEER will communicate with COMCD to gather and summarize the findings of their study and identify how the findings could support Norman's long-term water supply needs. The objective is to leverage the findings and not repeat the efforts already completed under the COMCD study. ENGINEER will also coordinate with Bureau of Reclamation staff to use Reclamation's existing Lake Thunderbird yield model to develop a supply augmentation-vs.-yield curve for augmentation beyond the levels being investigated under the current COMCD augmentation study,

##### (c) Groundwater Recharge

ENGINEER will conceptually evaluate the potential for aquifer recharge for management of supplies, using existing or new Garber-Wellington wells to recharge source waters (options as characterized elsewhere in this scope of work) that are intermittently available or intermittently in excess of demand. Groundwater recharge and recovery will be evaluated for its potential role in augmenting or replacing the need for surface water storage facilities.

##### (d) New Eastside or Westside Reservoir

ENGINEER will review the 2040 SWSP to assess the feasibility of construction of an east side or west side reservoir to use in the capture of potential spillage from Lake Thunderbird, use of high salinity Canadian water as a blending source or for the storage of water from any other new source for the purpose of blending with existing sources or to augment existing sources to meet peak demands or in time of drought .

#### 4.2 New Diversions from the Canadian River

ENGINEER will consider the use of the brackish water from new alluvial well diversions along the Canadian River as a new source of raw water for potable water supply. ENGINEER will reevaluate and update information contained in previous studies to characterize this option for subsequent portfolio development and alternatives analysis. The ENGINEER will summarize this option in terms of potential sustainable yield, water quality, regulatory requirements, treatment requirements, property

requirements, finished water conveyance, water rights, construction and operation costs and disposal of water treatment byproducts.

#### 4.3 Treated Effluent Reuse

##### (a) Indirect Potable Reuse via Supply Augmentation

In association with other Task 4 subtasks, ENGINEER will assess the potential for augmentation of surface water or groundwater potable supply sources with treated effluent from the existing and/or potential future North wastewater treatment plant (WWTP), in light of anticipated water quality and permitting requirements.

(b) Direct Nonpotable Reuse for Irrigation (from existing WWTP and/or potential future North WWTP) ENGINEER will identify potential clusters of non-potable demand that could be served with effluent from the CITY's WWTP(s). ENGINEER will use the CITY's existing maps of potential non-potable water demand and estimates of unit demand rates to estimate the annual and peak demand of the clustered demands. ENGINEER will subsequently develop and characterize a reuse transmission grid for costing and planning purposes, to identify the potential treatment and transmission costs associated with increased treated effluent non-potable reuse in Norman.

#### 4.4 Stormwater Capture and Reuse

ENGINEER will review the CITY's existing stormwater master plan to identify up to two potential storm sewer capture locations from which stormwater flows could be intercepted for reuse. ENGINEER will assess how such flows could be stored in a conceptually-sized retention pond, and pumped for reuse / supply augmentation (e.g., Lake Thunderbird augmentation, using stormwater not naturally tributary to the lake).

#### Deliverables:

- Data and analyses for inclusion in final report

#### Assumptions:

- Source options will be assessed qualitatively for their potential susceptibility to possible future climate change, referencing supply and demand impacts identified in the 2012 OCWP. No calculations or estimates of climate change implications specific to Norman or the supply options considered herein will be developed under this scope of work.
- Operation and maintenance costs for the supply options will not be estimated, but will be qualitatively described to allow a relative comparison between options.

### Task 5: Characterize "Leverage Outside Water Sources" Source Options

#### Purpose:

The purpose of this task is identify and characterize for subsequent alternatives analysis options to increase the future potable water supply portfolio that utilize sources of raw or finished water that are produced from sources that are outside of the geographic and political boundaries of the CITY.

#### Tasks:

##### 5.1 Bulk Finished Water Purchase from Oklahoma City

ENGINEER will obtain from the CITY copies of the existing water supply agreements with Oklahoma City and obtain information about the size, location and capacity of the existing water supply connections between the Oklahoma City and City of Norman water systems. ENGINEER will determine the maximum quantity of water that can be obtained utilizing the existing bulk water supply agreement(s) and establish the maximum capacity of the connection for use in Norman's long term water supply need. If the existing infrastructure does not allow the maximum quantity of water to be purchased under the agreement, the ENGINEER will develop a conceptual plan of the improvements required for maximum utilization and prepare a preliminary schedule and cost estimate for implementation of the conceptual improvements. Utilizing the demand projections, the ENGINEER shall determine what portion of the projected demand can be satisfied by the existing agreement(s) and the future water supply deficit.

## 5.2 Bulk Raw Water Purchase—Southeast Oklahoma

The ENGINEER will review Regional Raw Water Supply Study for Central Oklahoma and any other more recent documents provided by the CITY which describe the proposed project, overall proposed project costs, the CITY's proposed allocation and costs, and the proposed schedule for the Southeast Oklahoma Raw Water Supply from the Atoka Reservoir. ENGINEER will utilize the future water supply deficit determined in previous tasks to determine the quantity of additional allocation that the CITY would need from this source to satisfy future demands over the planning period. ENGINEER will use information for the SE Oklahoma raw water cost contained in the existing Regional Raw Water Supply Study for Central Oklahoma to estimate the costs associated with the additional allocation.

## 5.3 Raw Water Supply from Scissortail Reservoir

The ENGINEER will review Proposed Scissortail Reservoir Feasibility Study and any other more recent documents from COMCD study which describe the proposed project, available raw water that could be allocated to the CITY to meet its future needs, project schedule and projected costs. The ENGINEER in consultation with the CITY will determine the CITY's reasonable participation in this source for the purpose of comparison with other potentially feasible outside sources of supply. Utilizing existing reports, cost estimates and pipeline cost estimates prepared by the CITY, the ENGINEER will estimate and document the available allocation, timing and costs of raw water purchase, conveyance and treatment for this alternative.

## 5.4 Raw Water Supply from Kaw Reservoir

ENGINEER will gather and summarize information from the COMCD Lake Thunderbird Augmentation study and summarize the feasibility and cost of raw water supply from Kaw Reservoir. The ENGINEER in consultation with the CITY will determine the CITY's reasonable participation in this source, with or without the participation of other municipalities, for the purpose of comparison with other potentially feasible outside sources of supply. Project information will be developed to document the source information, preliminary transmission main sizing and route, treatment requirements, potential implementation time line and project costs.

## 5.5 Raw Water Supply from Other Potentially Available Sources

The ENGINEER will review the 2012 Oklahoma Comprehensive Water Plan to identify other potential outside sources of raw water supply from existing or proposed reservoirs that are not included in the tasks above(e.g., Tate Reservoir, Parker Reservoir). The ENGINEER will seek to identify sources which have been determined to have an available raw water supply capacity of at least 5 MGD and are located



within a 50 mile radius of the CITY. The available capacity of each source will be determined based upon available information. If multiple sources fitting the criteria are identified, the ENGINEER will select the two most feasible sources in terms of distance from the CITY, quantity of water available for allocation to the CITY and level of treatment required. Project information will be developed for the two most feasible sources to document the source information, preliminary transmission main sizing and route, treatment requirements, potential implementation time line and project costs.

## 5.6 Document Findings

ENGINEER will develop text regarding the findings, discussions, and decisions of the source characterization tasks as part of final report preparation. No interim written submittal will be prepared prior to the draft final report.

### Deliverables:

- Source Option Characterization input for final report

### Assumptions:

- Source options will be assessed qualitatively for their potential susceptibility to possible future climate change, referencing supply and demand impacts identified in the 2012 OCWP. No calculations or estimates of climate change implications specific to Norman or the supply options considered herein will be developed under this scope of work.
- Operation and maintenance costs for the supply options will not be estimated, but will be qualitatively described to allow a relative comparison between options.
- The 2009 Regional Raw Water Supply Study for Central Oklahoma will be used as the basis for infrastructure unit costs. Those unit costs will be applied to other outside water supply source options as the basis for their estimated costs.

## Task 6: Conduct Initial Source Screening

### Purpose:

Conduct screening-level analysis to identify the source of supply and demand management (conservation) options that are most viable and best satisfy the CITY's criteria for water supply.

### Tasks:

#### 6.1 Conduct Screening of Source Options Using Screening Criteria

ENGINEER will review and evaluate each of the source of supply and demand management (conservation) options identified and characterized in previous tasks relative to the preliminary screening criteria that were developed in previous tasks. ENGINEER will develop a draft recommendation for sources of supply that should be retained for further consideration and those that should be screened from further consideration. This evaluation will assess the relative merits of the supply options on the basis of the preliminary screening, such that the most feasible sources of supply relative to the CITY's criteria are retained for further evaluation.

#### 6.2 Source Screening Workshop

ENGINEER will facilitate a Source Screening Workshop to review ENGINEER's recommendations, gather and incorporate CITY input, and determine the final list of source options that will be carried forward for more detailed analysis. It is anticipated that this screening process will result in no more than six (6) new

options for source of supply, in addition to continued use of existing sources of supply.

**Deliverables:**

- Workshop materials and input to final report

**Assumptions:**

- Source screening will be finalized using input received from the Source Screening Workshop

**Task 7: Participate in Phase 1 Public Water Forum/Council Presentations**

**Purpose:**

Assist CITY staff with presentations to public or local government meetings by providing technical data, charts, and brief descriptions of the work conducted under Phase 1 of this project.

**Tasks:**

**7.1 Public Process Support**

ENGINEER will attend and provide information and presentation materials to support two public meetings to be organized by the CITY. Public Meeting #1 will be designed to review potential source of supply, reuse, and conservation options and gather input on the criteria to be used in evaluating these options. Public Meeting #2 will include a review of the results of the screening and evaluation of these options and to gather public feedback regarding those results.

**7.2 City Council Meeting Support**

ENGINEER will attend and provide information and presentation materials to support one City Council or other stakeholder meeting to be organized by the CITY.

**Deliverables:**

- Public meeting / City Council meeting presentation/support materials

**Assumptions:**

- ENGINEER will support and attend meetings (public, City Council, stakeholders) as described in this task. Development of a public information plan or program may be provided as an additional service outside this scope of work at the CITY's discretion.
- CITY will provide a single set of consolidated comments on draft meeting materials in electronic format.

**Task 8: Phase 1 Source Evaluation Documentation**

**Purpose:**

Document the process, assumptions, methods, and rationale used in developing the recommended short-list of water supply options.

**Tasks:**

**8.1 Document Phase 1 Analyses**

Text summarizing the Phase 1 Analyses and findings will be prepared as part of final report preparation. No interim written submittal will be prepared prior to the draft final report.



Deliverables:

- Input to Final Report

Assumptions:

- N/A

## **PHASE 2: Supply Portfolio Evaluation and 2060 SWSP Report**

The following tasks are components of the Phase 2 Scope of Work.

### **Task 9: Phase 2 Project Management and Coordination**

Purpose:

The purpose of this task is to guide and monitor the timely delivery of project deliverables, manage staffing, provide project coordination between ENGINEER and Subconsultant team members and the CITY, and to conduct project quality reviews.

#### **9.1 Project Control and Reporting**

ENGINEER will conduct budget and schedule monitoring and manage staffing. ENGINEER will prepare and submit a monthly invoice and status report based on the project progress. This report will contain the following elements:

- Work completed to date
- Deviations from the scope (if any)
- Updated Action/Decision Logs
- Budget reporting

ENGINEER will also conduct meetings or teleconferences with its Subconsultant as needed to maintain coordination of efforts in support of this scope of work.

#### **9.2 Quality Management**

ENGINEER will manage the quality of the project deliverables throughout the development of the project. This will include review of final deliverables by members of the ENGINEER senior staff.

#### **9.3 Bi-Monthly Coordination Meetings**

Brief project progress meetings will be conducted between project team members on a bi-monthly basis via telephone conference call, unless held in person in conjunction with other project activities. These meetings will include discussion of work progress, coordination issues, CITY feedback, and resolution of issues related to the progression of the work.

Deliverables:

- Monthly Project Updates
- Decision Logs (as needed) from Bi-Monthly Coordination Meetings

Assumptions:

- Bi-monthly coordination meetings will occur over a period of 4 months for a total of 8 meetings.

- If additional sources of supply beyond those listed in this scope of work are identified by the CITY or public participants for evaluation by ENGINEER, the Agreement will be modified for the additional level of effort as mutually agreed in writing by ENGINEER and the CITY.

## **Task 10 Construct and Evaluate Potential Water Supply Portfolios**

### Purpose:

Compile individual source options using the results of Phase 1 source screening into portfolios of supply that could meet the projected demand, then evaluate the portfolios based on the CITY's evaluation criteria.

### Tasks:

#### **10.1 Compile Water Supply Portfolios**

ENGINEER will compile individual source options into portfolios of water supply, with the objective of meeting the CITY's 2060 projected demand under a range of hydrologies. Up to four initial water supply portfolios will be developed. With CITY staff input, these portfolios may be arranged based on thematic approaches (e.g., maximize local sources, regionalized supplies, etc.). ENGINEER will meet with CITY staff to review the initial portfolios and refine them prior to initiating detailed evaluations of each.

#### **10.2 Evaluate Portfolios Using Weighted Criteria and Decision Model**

ENGINEER will further characterize and score the portfolios against the evaluation criteria developed in previous tasks. Scoring of the alternatives against the performance measures will first be completed in a tabular format, without regard to the weighting of the evaluation criteria. Criteria weighting will then be applied to the analysis using commercially-available decision modeling software to characterize how well the portfolios meet the weighted (most important) criteria. Portfolios will be ranked based on their relative weighted criteria and performance scores.

#### **10.3 Portfolio Evaluation Workshop**

ENGINEER will conduct a workshop with CITY staff to review and refine the portfolio scoring and weighted criteria ranking.

### Deliverables:

- Preliminary supply portfolios and portfolio scoring/ranking

### Assumptions:

- Up to six new source or demand management options will be combined into four preliminary portfolios.

## **Task 11: Conduct Optimization Modeling of Screened Portfolios**

### Purpose:

Evaluate the two best-performing water supply portfolios using a customized optimization model (*OPTIMO*<sup>®</sup>). Refine project components to increase the degree to which they satisfy the CITY's weighted evaluation criteria for water supply.

#### **11.1 Modeling and Optimization of Two Portfolios**

ENGINEER will develop an *OPTIMO*<sup>®</sup> model for each of the two (2) best-performing portfolios identified through the ranking process in previous tasks. This model will be operated to assess potential “what-if” scenarios, consider uncertainties, and optimize the portfolios relative to sensitivity parameters for more robust performance relative to the CITY’s weighted evaluation criteria. For each scenario, both average annual demand (ADD) and maximum day demand (MDD) will be modeled to evaluate the impact of seasonal peaking facilities on the overall supply cost. Based on input from CITY staff, elements of different portfolios may be re-combined to form one optimized portfolio that will form the basis for the strategic water supply plan report. This optimized portfolio will also be modeled with ADD and MDD conditions.

The *OPTIMO*<sup>®</sup> model will include the capacity, relevant water quality parameters, and average unit cost in \$/acre-foot for each supply source (groundwater, surface water, recycled water, water conservation). The model will combine various combinations of supply sources and compare the total supply capacity with the projected demands for year 2060. The model will identify the supply surplus/gap and generate the total average unit cost (\$/acre-foot) for each portfolio. The model will not include system hydraulics other than flows.

**Deliverables:**

- Results of optimization modeling as input to final report

**Assumptions:**

- Up to 200 hours will be expended in developing and operating *OPTIMO*<sup>®</sup> models of the portfolios.
- A steady state model will be developed that can model both ADD and MDD conditions for year 2060.
- This scope does not include delivery of the *OPTIMO*<sup>®</sup> model or model training for CITY use.

## **Task 12: Evaluation and Selection of Optimized Portfolios**

**Purpose:**

Evaluate the integrated water management alternatives using an agreed-upon set of criteria and a defined evaluation process to establish the preferred alternative for implementation.

### **12.1 Update Characterization and Scoring of Optimized Portfolios**

ENGINEER will update and revise the characterization of the portfolios against the evaluation criteria developed in previous tasks based on the results of the Task 11 optimization efforts. Scoring will be revised to characterize how well each portfolio meets each of the criteria, without regard to criteria weighting. Criteria weighting will then be applied to the analysis using commercially-available decision modeling software to characterize how well the optimized portfolios meet the weighted (most important) criteria. Optimized portfolios will be ranked based on their relative weighted criteria and performance scores.

### **12.2 Portfolio Ranking Workshop**

ENGINEER will conduct a workshop with CITY staff to review the updated portfolio scoring and weighted criteria ranking. ENGINEER will lead a facilitated discussion of the final portfolios to identify a shortlist of 2 to 3 recommended water supply portfolios for City Council and citizen consideration.

**Deliverables:**

- Revised portfolio scoring and ranking

Assumptions:

- Portfolio selection decisions will be made at the workshop with no further iterations.

**Task 13: Participate in Phase 2 Public Presentations**

Purpose:

Assist CITY staff with presentations to public or local government meetings by providing technical data, charts, and brief descriptions of the work conducted under this project.

**13.1 Public Process Support**

ENGINEER will attend and provide information and presentation materials to support two public meetings to be organized by the CITY, with topics as determined mutually by ENGINEER and CITY.

**13.2 City Council Meeting Support**

ENGINEER will attend and provide information and presentation materials to support two City Council or other stakeholder meetings to be organized by the CITY.

Deliverables:

- Meeting materials

Assumptions:

- ENGINEER will support and attend meetings (public, City Council, stakeholders) as described in this task. Development of a public information plan or program may be provided as an additional service outside this scope of work at the CITY's discretion.
- CITY will provide a single set of consolidated comments on draft meeting materials in electronic format

**Task 14: Develop Draft and Final 2060 Strategic Water Supply Plan**

Purpose:

Document the process, assumptions, methods, and rationale used in developing the recommended water supply portfolios. This document will serve as the basis for the CITY's subsequent public involvement process to select the final long-range water supply portfolio for implementation to address the CITY's water needs through 2060.

**14.1 Prepare Draft Report**

Using the draft technical memoranda developed under previous tasks as sections of the report, with edits made based on CITY comments on those draft memoranda, a draft report will be compiled for the CITY's review and comment.

**14.2 Prepare Final Report**

CITY review comments on the draft report will be addressed as part of revising the draft report into the

final report. ENGINEER will provide an electronic (PDF) copy as well as up to 20 sets of hard copy deliverables. Included in the Final Report will be overview maps of the existing and proposed water supply sources.

**Deliverables:**

- Draft and Final 2060 Strategic Water Supply Plan

**Assumptions:**

- CITY will provide a single set of consolidated comments on the draft report in electronic format.

**Time of Completion**

ENGINEER agrees to complete the Phase 1 tasks within 5 months from the notice-to-proceed date.

Phase 2 schedule will be as mutually agreed to by ENGINEER and CITY based on the findings of Phase 1.

**Compensation**

The aggregate total compensation for engineering services under Phase 1 and Phase 2 shall not exceed a total lump sum fee of \$385,947.



**Fee Estimate - Norman 2060 Strategic Water Supply Plan - Phase 1&2**  
**March 5, 2012**

		TOTAL FEE (LABOR + ODCs)
Phase/ Task	Task Description	
P1 T1	Phase 1 Project Management and Coordination	\$ 36,337
1.1	Project Control and Reporting	\$ 6,527
1.2	Quality Management	\$ 6,704
1.3	Agency Coordination	\$ 8,159
1.4	Bi-Monthly Coordination Meetings	\$ 7,801
1.5	Project Management Plan	\$ 1,563
1.6	Kickoff Workshop	\$ 5,581
P1 T2	Basis of Planning	\$ 36,834
2.1	Review Documents	\$ 8,221
2.2	Define Baseline Water Demand Projections through 2060	\$ 7,554
2.3	Assess Opportunities for Water Conservation Savings	\$ 6,582
2.4	Identify Uncertainties	\$ 1,457
2.5	Develop Initial Screening and Detailed Evaluation Criteria for Water Supply Alternatives	\$ 4,263
2.6	Conduct Basis of Planning Workshop	\$ 2,947
2.7	Document Basis of Planning	\$ 5,810
P1 T3	Characterize "Preserve Existing Water Supplies" Source Options	\$ 51,376
3.1	Develop Inventory of Existing Sources	\$ 4,628
3.2	Characterize Existing Sources	\$ 8,884
3.3	Assess Regulatory Impacts on Continued Use of Existing Sources	\$ 10,792
3.4	Identify Improvements Needed for Continued Long-Term Use of Existing Sources	\$ 27,072
P1 T4	Characterize "Maximize and Enhance Local Supplies" Source Options	\$ 56,052
4.1	Storage and Supply Augmentation Options	\$ 24,635
4.2	New Diversions from the Canadian River	\$ 10,570
4.3	Treated Effluent Reuse	\$ 12,656
4.4	Stormwater Capture and Reuse	\$ 8,191
P1 T5	Characterize "Leverage Outside Water Sources" Source Options	\$ 32,653
5.1	Bulk Finished Water Purchase from Oklahoma City	\$ 3,033
5.2	Bulk Raw Water Purchase—SE Oklahoma	\$ 4,624
5.3	Raw Water Supply from Scissortail Reservoir	\$ 3,240
5.4	Raw Water Supply from Kaw Reservoir	\$ 3,240
5.5	Raw Water Supply from Other Potentially Available Sources	\$ 8,705
5.6	Document Findings	\$ 9,811
P1 T6	Conduct Initial Source Screening	\$ 12,826
6.1	Conduct Screening of Source Options Using Screening Criteria	\$ 9,507
6.2	Source Screening Workshop	\$ 3,319
P1 T7	Participate in Phase 1 Public Water Forum/Council Presentations	\$ 15,174
7.1	Public Process Support	\$ 11,819
7.2	City Council Meeting Support	\$ 3,355
P1 T8	Phase 1 Source Evaluation Documentation	\$ 8,040
8.1	Document Phase 1 Analyses	\$ 8,040
PHASE 1 SUBTOTAL		\$ 249,291
P2 T9	Phase 2 Project Management and Coordination	\$ 15,427
9.1	Project Control and Reporting	\$ 4,271
9.2	Quality Management	\$ 6,071
9.3	Bi-Monthly Coordination Meetings	\$ 5,086
P2 T10	Construct and Evaluate Potential Water Supply Portfolios	\$ 25,102
10.1	Compile Water Supply Portfolios	\$ 4,455
10.2	Evaluate Portfolios Using Weighted Criteria and Decision Model	\$ 11,781
10.3	Portfolio Evaluation Workshop	\$ 8,867
P2 T11	Conduct Optimization Modeling of Screened Portfolios	\$ 38,844
11.1	Modeling and Optimization of Two Portfolios	\$ 38,844
P2 T12	Evaluation and Selection of Optimized Portfolios	\$ 20,869
12.1	Update Characterization and Scoring of Optimized Portfolios	\$ 11,781
12.2	Portfolio Ranking Workshop	\$ 9,088
P2 T13	Participate in Phase 2 Public Water Forum/Council Presentations	\$ 18,296
13.1	Public Process Support	\$ 12,389
13.2	City Council Meeting Support	\$ 5,907
P2 T14	Develop Draft and Final 2060 Strategic Water Supply Plan	\$ 18,117
14.1	Prepare Draft Report	\$ 11,432
14.2	Final Report	\$ 6,685
PHASE 2 SUBTOTAL		\$ 136,656
PROJECT TOTAL		\$ 385,947



PURCHASE REQUISITION NBR: 0000197304

REQUISITION BY: MDANIELS  
SHIP TO LOCATION: P W - UTILITIES DIRECTOR  
SUGGESTED VENDOR: 9007 CAROLLO ENGINEERS PC  
DATE: 2/09/12  
DELIVER BY DATE: 2/14/12

STATUS: INSUFFICIENT FUNDS  
REASON: PREPARE 2060 WATER SUPPLY PLAN

1 ENGINEERING STUDY OF WATER SUPPLIES  
COMMODITY: ENGINEERING SERVICES, PRO  
SUBCOMMOD: ENGINEER SERVICES, PROFES  
335947.00 DOL 1.0000 385947.00  
REQUISITION TOTAL: 385947.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	AMOUNT
1	03191964626201 Capital Projects Design	WA0174 Water Supply Plan Update	385947.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

7 CONSULTANTS RESPONDED TO REP 1112-35. CAROLLA TE  
AMED WITH TETRA TECH WAS SELECTED BY REVIEW COMMITTEE  
\*\*\*\*\*  
CONTRACT K-1112-114 CONTINGENT ON NUA APPROVAL  
3-13-12.